

Munson Township Zoning Commission Meeting

Minutes of December 12, 2017

Kurtis Taylor called the meeting to order at 6:01pm with Dennis Medica, Sandy Schultz and Lenore Pikus present. Also present were Zoning Inspector James Herringshaw and Secretary Julie Johnston. Adriano Fiucci was absent. The Pledge of Allegiance was said.

Kurtis Taylor moved and Sandy Schultz seconded to approve the minutes of November 14, 2017 as written, motion carried.

Zoning Inspector Report:

Zoning Inspector James Herringshaw distributed the November Zoning Certificate report.

Mr. Herringshaw mentioned there will be two variances in January. The former Pineway Trails on Wilson Mills Road is looking to turn the operation into a winery and restaurant. They will need an area and use variance.

Commercial signs – All of the businesses that have been sent letters are now in compliance with the Zoning Resolution. Mr. Herringshaw has started with violation letters in the next section of township businesses. Most of the area business owners are not aware there are sign restrictions and have been taking care of the issues in a timely fashion. All of the telephone poles have been stripped of their signs illegally tacked on them. Mr. Herringshaw stated that most of them are for missing dogs and a dumpster rental company.

Mr. Herringshaw and Zoning Commission members reviewed the proposed changes to the Zoning Resolution after the informal review by the Planning Commission and Susan Wieland.

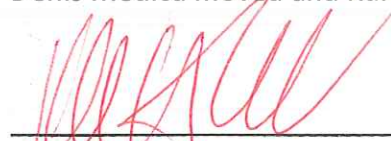
Kurtis Taylor moved that an amendment to the Munson Township Zoning Resolution, identified as number 2017-02 consisting of 3 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Munson Township Zoning Commission this 12th day of December, 2017. Sandy Schultz seconded said motion and with an unanimous vote, motion carried.

Kurtis Taylor moved that the Munson Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2017-02 to the Munson Township Zoning Resolution as attached hereto on the 17th day of January, 2018 at 6pm at the Munson Township Hall, 12210 Auburn Road, Munson Township. Lenore Pikus seconded the said motion . and with an unanimous vote, motion carried.


Dennis Medica moved that the Munson Township Zoning Commission hereby submits the attached copy of the motion for a proposed amendment identified as number 2017-02 to the Munson Township Zoning Resolution with attached text pertaining thereto to the Geauga County Planning Commission this 12th day of December 2017. Lenore Pikus seconded said motion and with an unanimous vote, motion carried. The above documents in their entirety are attached as part of the minutes

The next scheduled meeting is Wednesday, January 17, 2017 at 6pm.

Denis Medica moved and Kurtis Taylor seconded to adjourn the meeting at 7:04pm.



Kurtis Taylor, Chair



Julie Johnston, Secretary

GPCP informal review comments 11/29/17. Munson Twp. draft zoning amendment 2018-01.
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

Setback Line - A line parallel to the front lot line at any story level of a building which defines the limits of a yard and represents the distance which all or any part of a building or structure is to be set back from said lot line and does not include architectural projections as defined and regulated in Section 505.

SECTION 514 PRIVATE SWIMMING POOLS

514.3 Inground swimming pools shall be walled or fenced prior to use. Any such wall or fence shall: Prior to use, An outdoor in-ground swimming pool, including an inground, above ground, or onground pool, hot tub or spa shall be surrounded by a barrier or fence, except as may otherwise be provided herein, which shall comply with the following sub-paragraphs a-d:

Note: The term swimming pool is defined in Section 202 and a hot tub is included in it. Further, spa is undefined. Therefore, the definition should be revised for a swimming pool.

- a. not be less than four (4) feet in height and four (4) feet from the pool's edge;
- b. not be less than four (4) feet nor more than fifteen (15) feet from the pool's edge;
- e. b. fencing shall be constructed so as to prohibit the passage of a sphere larger than four (4) inches in diameter through any opening or under the fencing. Fencing shall be designed to withstand a horizontal concentrated load of two hundred (200) pounds applied on a one (1) square foot area at any point of the fencing; and
- d. c. maintained in good condition with a gate and a lock. Access gates shall comply with the fence requirements of this section, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool, and shall be self-closing and shall have a self-latching device. Gates other than pedestrian access gates shall have a self-closing and self-latching device. Where the release mechanism of the self-latching device is located less than fifty-four (54) inches from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 1. The release mechanism shall be located on the pool-side of the gate at least three (3) inches below the top of the gate.
- d. Where a wall of a dwelling serves as part of the barrier, one of the following conditions regulations shall be met:
 - 1. The pool shall be equipped with a power safety cover in compliance with ASTM F1346 F1346-91 and shall be used and in place when the pool is not in use.
 - 2. Doors with direct access to the pool through that wall shall be equipped with an audible alarm which which produces an audible warning when the door and its screen, if present, are opened. The alarm shall be listed in accordance with UL 20-17, 2017.
- e. Where an above ground pool structure is used as a barrier or where the barrier is a safety cover mounted on top of the pool structure and the means of access is a ladder or steps:
 - 1. The ladder or steps shall be capable of being secured, locked or removed when the pool is not in use to prevent access.
 - 2. When the ladder or steps are secure, locked or removed, any opening created shall not allow the passage of a four (4) inch diameter sphere.

SECTION 1002 ZONING CERTIFICATE

Subject to With the exception of Sections 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.

1003.4 Real Estate

Real estate signs shall be limited to two (2) per building principal building or structure or two (2) per parcel of land, but to not more than two (2) if such parcel includes a building. No Real Estate sign shall be greater than six (6) square feet per sign face.

1003.5 Signs Permitted in the Commercial, Industrial, Institutional and Medical Use Zoning Districts

- d. All permitted signs may be illuminated. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed upon a public or private road or adjacent lots so as to cause glare or reflection that may constitute a traffic hazard, nuisance, or distraction.
- e. Signs shall not be illuminated between the hours of 10pm and 6am, provided however, that signs may be illuminated between those hours during the actual hours of operation of the business or use.
- e. Pursuant to Section 1005 and upon any change of business entity as set forth in the first paragraph hereinabove, all existing conforming and nonconforming signs shall be subject to and be in conformity with all current requirements of this resolution.

1003.6 Temporary Signs

Temporary signs not previously mentioned in this section intended to draw attention to a particular activity shall be removed within three (3) days following the activity. Not more than one (1) on-site sign which shall not exceed an area of ~~thirty-six (36)~~ twenty (20) square feet per sign face, and two (2) off-site signs, which shall not exceed an area of ~~twenty (20)~~ sixteen (16) square feet per sign face each, shall be permitted. Temporary signs are not permitted to be erected more than thirty (30) days prior to a particular activity. Temporary signs shall not be illuminated by any means including reflected light. A temporary sign may only be erected with the permission of the affected lot or premises owner.

- a. Temporary signs erected for no more than fourteen (14) consecutive days that promote a particular event, shall not require a zoning certificate, but must conform to the requirements set forth in the paragraph above. Examples may include, but not be limited to, would be garage sales, plant sales, festivals, barbecues, flea markets, and graduation parties.

1003.7 Electronic Changeable Signs

- b. Each message shall remain fixed for at least ~~thirty (30) seconds~~ no less than seven (7) seconds. Message shall not flash, including moving video displays or animation, or emit intermittent light.

1003.8

Directional Signs

Directional signs on private property ~~should~~ **shall** have a maximum area of 2.25 square feet per sign face and contain only directional information.

1003.9

Condition of Signs

Note: Should this be numbered Section 1006?

Signs and support structures shall consist of weather resistant materials and shall be maintained in good repair and a safe condition so as to prevent rust, rot, peeling, flaking or fading. Broken or cracked sign faces or panels, missing letters, flaking or peeling paint, malfunctioning electrical or lighting components, and other visual damage or deterioration shall be repaired within 30 days of the date that written notification is provided to the owner or lessee of the affected lot or premises by the zoning inspector.

PROHIBITED SIGNS

1004.7 No sign, temporary or permanent, shall be placed in the public road right-of-way or on a public utility pole with the exception of signs erected by the state of Ohio, a political subdivision thereof, a public utility, or an authorized governmental department or entity.

Zoning Commission

Munson Township

Chardon, Ohio


RECEIVED
DEC 14 2017
GEAUGA COUNTY
PLANNING COMMISSION

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)

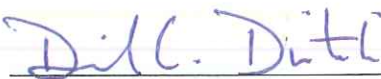
The Munson Township Zoning Commission hereby submits the attached copy of the motion for a proposed amendment identified as number 2017-02 to the Munson Township Zoning Resolution with attached text pertaining thereto to the Geauga County Planning Commission this 12th day of December 2017.

Munson Township Zoning Commission

Attested to by:


Julie Johnston, Secretary
Munson Township Zoning Commission

Received by Geauga County Planning Commission this 14th day of DECEMBER, 2017


Signature of Planning Commission Member or Employee
David C. Dietrich, Planning Director

Zoning Commission

Munson Township

Chardon, Ohio

MOTION TO INITIATE AMENDMENT TO MUNSON TOWNSHIP ZONING RESOLUTION

R. C. 519.12 (A)


Kurtis Taylor moved the adoption of the following motion:

That an amendment to the Munson Township Zoning Resolution, identified as number 2017-02 consisting of 3 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Munson Township Zoning Commission this 12th day of December, 2017.

Sandy Schultz 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>
 Kurtis Taylor	Yes
 Sandy Schultz	Yes
 Dennis Medica	Yes
 Lenore Pikus	Yes

Attested to by:


Julie Johnston, Secretary
Munson Township Zoning Commission

12/12/17
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

Setback Line - A line parallel to the front lot line at any story level of a building which defines the limits of a yard and represents the distance which all or any part of a building or structure is to be set back from said lot line and does not include architectural projections as defined and regulated in Section 505.

Swimming Pool - Any artificially constructed pool, including a hot tub, which contains a depth of water of at least one and one-half feet at any point used or intended to be used for swimming bathing, or recreational purposes. including and accessory recreational structures

SECTION 514

PRIVATE SWIMMING POOLS

514.3 ~~Inground swimming pools shall be walled or fenced prior to use. Any such wall or fence shall:~~ An outdoor in-ground swimming pool shall be surrounded by a barrier or fence, except as may otherwise be provided herein, which shall comply with the following subparagraphs a - d:

- a. not be less than four (4) feet in height and four (4) feet from the pool's edge;
- b. ~~not be less than four (4) feet nor more than fifteen (15) feet from the pool's edge;~~
- e. b. fencing shall be constructed so as to prohibit the passage of a sphere larger than four (4) inches in diameter through any opening or under the fencing. Fencing shall be designed to withstand a horizontal concentrated load of two hundred (200) pounds applied on a one (1) square foot area at any point of the fencing; and
- d. c. maintained in good condition with a gate and a lock. Access gates shall comply with the fence requirements of this section, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool, and shall be self-closing and shall have a self-latching device. Gates other than pedestrian access gates shall have a self-closing and self-latching device. Where the release mechanism of the self-latching device is located less than fifty-four (54) inches from the bottom of the gate, the release mechanism and openings shall comply with the following:
 1. The release mechanism shall be located on the pool-side of the gate at least three (3) inches below the top of the gate.
- d. Where a wall of a dwelling serves as part of the barrier, one of the following regulations shall be met:
 1. The pool shall be equipped with a power safety cover in compliance with ASTM F 1346-91 and shall be used and in place when the pool is not in use.
 2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017.
- e. Where an above ground pool structure is used as a barrier or where the barrier is a safety cover mounted on top of the pool structure and the means of access is a ladder or steps:
 1. The ladder or steps shall be capable of being secured, locked or removed when the pool is not in use to prevent access.
 2. When the ladder or steps are secure, locked or removed, any opening created shall not allow the passage of a four (4) inch diameter sphere.

SECTION 1002

ZONING CERTIFICATE

Subject to With the exception of Sections 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.

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Real estate signs shall be limited to two (2) per building principal building or structure or two (2) per parcel of land, but to not more than two (2) if such parcel includes a building. No Real Estate sign shall be greater than six (6) square feet per sign face.

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Signs Permitted in the Commercial, Industrial, Institutional and Medical Use Zoning Districts

- d. All permitted signs may be illuminated. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed upon a public or private road or adjacent lots so as to cause glare or reflection that may constitute a traffic hazard, nuisance, or distraction.
- e. Signs shall not be illuminated between the hours of 10pm and 6am, provided however, that signs may be illuminated between those hours during the actual hours of operation of the business or use.
- e. Pursuant to Section 1005 and upon any change of business entity as set forth in the first paragraph hereinabove, all existing conforming and nonconforming signs shall be subject to and be in conformity with all current requirements of this resolution.

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Temporary Signs

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Directional signs on private property shall have a maximum area of 2.25 square feet per sign face and contain only directional information.

PROHIBITED SIGNS

1004.7 No sign, temporary or permanent, shall be placed in the public road right-of-way or on a public utility pole with the exception of signs erected by the state of Ohio, a political subdivision thereof, a public utility, or an authorized governmental department or entity.

1006

Condition of Signs

Signs and support structures shall consist of weather resistant materials and shall be maintained in good repair and a safe condition so as to prevent rust, rot, peeling, flaking or fading. Broken or cracked sign faces or panels, missing letters, flaking or peeling paint, malfunctioning electrical or lighting components, and other visual damage or deterioration shall be repaired within 30 days of the date that written notification is provided to the owner or lessee of the affected lot or premises by the zoning inspector.

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 12th day of December, 2017 at 6:00 p.m. with the following members present:

Kurtis Taylor, Sandy Schultz, Dennis Medica, Lenore Pikus

Kurtis Taylor moved the adoption of the following motion:


That the Munson Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2017-02 to the Munson Township Zoning Resolution as attached hereto on the 17th day of January, 2018 at 6pm at the Munson Township Hall, 12210 Auburn Road, Munson Township.

Lenore Pikus 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>
 Kurtis Taylor	Yes
 Sandy Schultz	Yes
 Dennis Medica	Yes
 Lenore Pikus	Yes

Adopted the 12th day of December, 2017

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 2017-02 to the Munson Township Zoning Resolution at the Munson Town Hall, 12210 Auburn Road at 6 p.m. on Wednesday, January 17, 2018.

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 December 21, 2017 through January 17, 2018.

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

Publish: Geauga County Maple Leaf
December 21, 2017

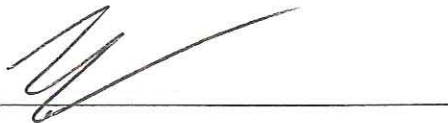
COPY

STATE OF OHIO }
COUNTY OF GEAUGA } ss.

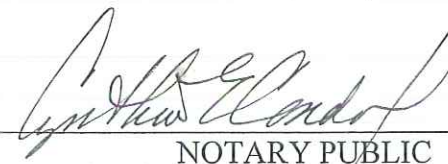
CAPTION: NOTICE OF PUBLIC
HEARING: MUNSON TOWNSHIP
ZONING COMMISSION: JANUARY 17,
2018

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 December 21, 2017.

COST: \$57.50



Sworn to and subscribed in my presence
this 21 day of December, A.D. 2017.


NOTARY PUBLIC

CYNTHIA E. CONDOL, Notary Public
STATE OF OHIO (Cuyahoga County)
My Commission Expires December 22, 2018

**LEGAL NOTICE
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 2017-02 to the Munson Township Zoning Resolution at the Munson Town Hall, 12210 Auburn Road at 6:00 p.m. on Wednesday, January 17, 2018.

The motion proposing to amend the zoning 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 December 21, 2017 through January 17, 2018.

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

Julie Johnston, Secretary
Dec 21, 2017

GEAUGA COUNTY MAPLE LEAF
101 SOUTH STREET
CHARDON, OHIO 44024

PROOF OF PUBLICATION

