

Munson Township

Zoning Commission Regular Meeting

Minutes of May 10, 2023

Nicholas Christie called the meeting to order at 6:00pm with Kurtis Taylor, Glen Peck and Edward Hren. Also present was Zoning Inspector Secretary Julie Johnston. Adriano Fiucci was absent. The Pledge of Allegiance was said.

Edward Hren moved and Glen Peck seconded to approve the minutes of April 12, 2023 as written. Motion carried, 4-0.

Points of Discussion:

The Board reviewed the proposed Zoning Resolution amendments. A definition for Bollard was discussed along with the detailed fire code regarding EVCS from Columbus Ohio. Glen Peck will email some of the language that can be added to our proposed amendment. Kurtis Taylor moved and Glen Peck seconded to forward the proposed amendment to the Planning Commission Director for an informal review. Motion carried, 4-0.

Zoning Report

Zoning Inspector James Herringshaw shared with members that April was a very busy month. Permit uses from new homes to Conditional Uses. There was a commercial permit issued to Munson Storage located on Mayfield Road by Circle K. It is for a second building that will be just like the first one. Glen Peck asked how mines are zoned. Mr. Herringshaw commented they are permitted as a Conditional Use in the Industrial District and that Covia Corp. (Best Sands) will be at the Board of Zoning Appeals meeting in June for a Conditional Use permit to add three (3) parcels to their current Conditional Use Permit.

The next regular meeting will be held on Wednesday, June 14, 2023 at 6pm at Munson Town Hall.

Edward Hren moved and Glen Peck seconded to adjourn the meeting at 6:37pm. Motion carried, 4-0.



Nicholas Christie, Chair



Julie Johnston, Secretary

PROPOSED AMENDMENTS

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~~

Bollard – a short post used to create a protective or architectural perimeter.

Electric Vehicle – Any vehicle that operates either partially or wholly on electrical energy from an off-board source that is stored on-board for motive purposes.

Electric Vehicle Charging Station (EVCS) – A unit that supplies electric energy for charging an electric vehicle. Such equipment is classified as established by the Society of Automotive Engineers (SAE).

Electric Vehicle Charging Station (EVCS) Space – Off-street parking spaces, parking garage, or designated charging area with Electric Vehicle Charging Stations (EVCS).

SECTION 407 COMMERCIAL DISTRICT (C)**407.2 Permitted Uses and Structures**

The following uses and structures and no other shall be permitted in a Commercial District. Where the Zoning Map designates a Flood Plain (FP) area within a Commercial District, a building or structure intended for commercial use which requires or is intended to be serviced by an on-site sewage disposal system shall not be permitted. Otherwise, the permitted uses in a Commercial District follow:

- ~~17. Commercial recreational facilities, indoor and outdoor~~
- ~~18~~7. Construction services, including offices, excluding heavy construction equipment.
- ~~19~~8. Convenience carry-out stores with drive-through facilities
- ~~20~~19. Delicatessens
- ~~21~~0. Dental laboratories
- ~~22~~1. Department stores and/or discount stores
- ~~23~~2. Drug stores
- ~~24~~3. Electrical and appliance sales and service
- ~~25~~4. Employment services
- ~~26~~5. Farm supply stores
- ~~27~~6. Florist
- ~~28~~7. Furniture and home furnishing sales, repair and upholstery shops
- ~~29~~8. Grocery stores and specialty food stores
- ~~30~~29. Hardware stores
- ~~31~~0. Health and athletic clubs
- ~~32~~1. Heating and air conditioning sales and service
- ~~33~~2. Interior decorating studios
- ~~34~~3. Jewelry sales, service and repair

- 354. Laundry and dry-cleaning establishments
- 365. Lawn maintenance equipment sales and service
- 376. Medical clinics
- 387. Motor Vehicles - parts and accessories, sales, repair stations and/or service stations, sales or rentals
- 398. Musical instrument sales and repair
- 4039. Off- road parking lots
- 410. Office supply sales
- 421. Paint, glass, and wallpaper sales
- 432. Pets and pet supply sales
- 443. Photographic studios
- 454. Places of Worship
- 465. Plumbing, electrical, and similar supply sales
- 476. Printing services
- 487. Private schools: art, dancing, music, business, and driver training
- 498. Professional offices
- 5049. Public buildings and/or uses which are supported in part by taxes or special public assessments. Such uses include but are not limited to parks, libraries, schools, fire stations, public administrative offices, and community centers.
- 510. Radio and television sales and service
- 521. Restaurants
- 532. Shoe sales
- 543. Sporting goods sales
- 554. Swimming pool sales
- 565. Taverns
- 576. Universities
- 587. Veterinary services with or without kennels provided that any outside animal area is located a minimum of five hundred (500) feet from any residential district.

SECTION 502 FRONTAGE REQUIRED

No new lot shall be created ~~nor shall any building or structure be erected upon a lot~~ which does not possess the required minimum frontage upon a public or private road established for the district in which such lot is located.

SECTION 509 ACCESSORY STRUCTURES

All accessory structures shall be in conformity with the following provisions:

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 shelters~~, and porches or decks attached to or immediately contiguous to the principal structure.

SECTION 529 ELECTRIC VEHICLE CHARGING STATIONS (EVCS)

Electric Vehicle Charging Stations (EVCS) may be permitted in the Commercial, Industrial, Institutional, Medical Use Zoning Districts; and, for conditional uses in the Residential Zoning District as an accessory use upon issuance of a Zoning Certificate, subject to the following regulations:

- a. An EVCS shall be either a Level 2 or a Level 3 charger. If the charging station has more than one (1) port, then each port shall be counted as a charging station, but only one (1) Zoning Certificate shall be required for contiguous charging stations.
- b. An EVCS space shall count towards determining the minimum number of parking spaces as otherwise required by this Resolution.
- c. The minimum size of an EVCS space shall be ten (10) feet in width and twenty (20) feet in length.
- d. EVCS shall be protected by permanent concrete filled bollards as defined by Ohio Fire Code section 312 (L) (2), 312.2, a minimum of four (4) feet in height and two (2) per EVCS parking space.
- e. The EVCS space shall be designated by pavement identification markings and a permanent sign immediately adjacent thereto with a maximum face size of four (4) square feet. Sign height shall not exceed six (6) feet.
- f. EVCS space may be located within any front, side, or rear yard, subject to all minimum setbacks required by this Resolution, as well as the following additional requirements:
 1. A minimum of twenty-five (25) feet from any building or structure.
 2. A minimum of twenty-five (25) feet from any dispensing devices for flammable or combustible liquids.
 3. A minimum of twenty-five (25) feet from any above or underground tanks, tank fill connections, remote or submersible pump transfer equipment, vapor recovery equipment or vents.
 4. A minimum of twenty-five (25) feet from any tank vehicles while filling or transferring flammable or combustible liquids.
- g. EVCS shall conform with current and updated codes of the National Electric Code and shall be inspected once a year with the results submitted to the fire department.
- h. EVCS shall be designed and constructed in accordance with local building and fire codes.

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

SECTION 1001 *SIGNS - INTENT AND PURPOSE*

~~The intent of this article is to provide a comprehensive system of sign regulation for Munson Township that recognizes the necessity and desirability of communication by outdoor signs while promoting an order to signage which eliminates visual clutter and confusion within the physical environment. The purpose of this article is to protect the safety and general welfare of the public within the Township by encouraging compatibility between the design and functional nature of the sign and its location within the physical environment, thus reducing the propensity for traffic accidents and personal hazards caused by distractions, sight obstructions, and unsafe structures.~~

Sign regulations, including provisions to control the size, location, illumination, and maintenance of signs, are hereby established in order to promote the public health, safety, and welfare

through the provision of standards for existing and proposed signs of all types. More specifically, this Article is to achieve, among others, the following purposes:

- a. To allow businesses, institutions, and individuals to exercise their right to free speech by displaying an image on a sign, and to allow audiences to receive such information.
- b. To promote and maintain visually attractive, residential, retail, commercial, historic open space and industrial districts.
- c. To ensure that signs are located and designed to reduce sign distraction and confusion that may be contributing factors in traffic congestion and accidents, and maintain a safe and orderly pedestrian and vehicular environment.
- d. To promote property values.
- e. To promote the public health, safety, and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards, and reducing visual distractions and obstructions.
- f. To protect and preserve the aesthetic quality and physical appearance of the Township.

The Township seeks to protect the rights of free speech and not infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, §11 of the Ohio Constitution. All provisions in this Article are to be constructed, whenever possible, in favor of vigorous political debate and accommodations of the rights of residents and visitors to speak freely.

SECTION 1002 ZONING CERTIFICATE

With the exception of Sections 1001 (a), 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.

SECTION 1202 APPEALS AND VARIANCES

1202.4 Granting of Variances

The burden of proof for granting a variance shall rest with the applicant. In granting any appeal for a variance, the Board of Zoning Appeals must consider conformity with the spirit and intent of this Resolution. The Board of Zoning Appeals may only grant an appeal for an allegation of error by the zoning inspector, for a “use” variance or an “area” variance from the terms of this Resolution, in the district involved, by following the procedures set forth in Sections 1202.4.1 and 1202.4.2. The Board of Zoning Appeals, in deciding when granting any appeal for a variance, may place require such supplementary conditions, which are regulations specifically provided for elsewhere in this Resolution and which are reasonably reasonable and directly related to the requested variance, are not in conflict with this resolution and which the board deems necessary to protect the public health, safety, and morals, and general welfare. Any such supplementary conditions shall be made a part of the Board of Zoning Appeals’ proceedings and shall be incorporated into the final decision by the board approving that variance. Violation of such supplementary conditions which are made a part of the written decision of the board, shall be deemed in violation of this Resolution.