

**Austinburg Township, Ohio**

**Zoning Commission**

**Regular Meeting**

**May 1, 2019**

The Regular Meeting of the Zoning Commission was called to order on Wednesday, May 1, 2019 at 5:21 pm by Chair Phil Miller. Also present were Vice-Chair Jackie Krysa, Ms. Clair Polak, Mr. Rob Laphu, Zoning Inspector John Beninato, Township Trustee Bryon Dutton and Secretary Dolores Allen.

Minutes from April, 2019 were not submitted.

Old Business:

Definitions/text to be addressed are as follows:

Add section 950 Fences

Section 950 Fences. Note, other sections in this Zoning Resolution text take priority over this section. This section also applies to “living Fences”, see section 2 for definition. Fence heights are measured from the average grade height. All fences shall be made of usual and customarily recognized fencing materials.

Under district NC section F is added to read: terrain cannot be altered to exceed fence height requirement.

Add to Section 2 Definitions:

**ADULT FAMILY HOME:** A residence or facility that provide accommodations to 3-5 unrelated adults and supervision and personal care to at least 3 of those adults and is licensed according to the provision of the ORC.

**ADULT GROUP HOME:** A residence or facility that provide accommodations to 6-16 unrelated adults and supervision and personal care to at least 3 of those adults and is licensed according to the provisions of the ORC.

**DRIVEWAY, PRIVATE:** An access to a single lot or lots owned by one entity.

**FAMILY:** A person living alone, or two (2) or more persons living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel or hotel, dormitory, fraternity or sorority house, provided, however, that “family” shall not include more than four (4) persons unrelated to each other by blood, marriage or legal adoption, except for Class I Type B group residential facilities. An individual or married couple and the children thereof with not more than 2 other persons related directly to the individual or married couple by blood, marriage, adoption placement by a government or social service agency. A family may also be a group of not more than 5 persons not related by blood, marriage or adoption occupying a dwelling unit as a single housekeeping organization.

**FAMILY HOME:** A residential facility that provides room and board, personal care, habilitation services and supervision in a family setting for at least 6 but not more than 8 mentally disabled persons.

**FENCE, LIVING STRUCTURE:** A living fence is defined as a hedge, bush, plant, ornamental tree, and/or grass which by their nature grown to heights exceeding three feet and are planted, arranged or have grown to such an extent that they create a line of sight barrier to motorist using driveways, as determined by the Zoning Inspector. Underground dog fences are exempt from these regulations.

GROUP HOME: A residential facility that provides room and board, personal care, habilitation services and supervision in a family setting for at least 9 but not more than 16 mentally disabled persons.

ROAD/STREET, PRIVATE: An access to multiple lots owned by unrelated parties and not maintained by a government entity. See Section 1000.210

STRUCTURE: Anything constructed or erected, the use of which requires location on, in or under the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, walls, and billboards. (The word fences was removed).

Removal from Zoning text as follows:

Sec. 8 IOP Remove item #31” Oil /Gas Wells

Sec. 8 NC Remove item #43 “Oil/Gas Wells”

Sec. 8 R1 Remove item #10 “Oil/Gas Wells”

Sec. 8 R2 Remove item #10 “Oil/Gas Wells”

Sec. 8 RC Remove item #12 “Oil/Gas Wells”

Sec. 722 Change “Township Clerk” to “Township Fiscal Officer”

Sec. 725 Change “Clerk” to “Township Fiscal Officer”

Sec. 572 (page 5-11) remove the word “fences”

Motion was made by Chair Miller to add to section 2 definitions: “FENCE, LIVING STRUCTURE”, Section 950 FENCE be added, add Districts R1, R2 and RC, we add District NC with the additional letter “F” to read terrain cannot be altered to exceed fence height requirement. We add district AC, District IOP. Under amended definitions “STRUCTURE” we remove the word “fences” and Section 572 on page 5-11 under “ACCESSORY USE” we remove the word “fences”. Motion was seconded by Ms. Krysa. All voted aye; none were opposed. Motion carried.

Motion was made by Ms. Krysa to add to section 2 definitions “DRIVEWAY, PRIVATE: An access to a single lot or lots owned by one entity.” Add to section 2 definition “ROAD/STREET, PRIVATE: An access to multiple lots owned by unrelated parties and not maintained by a government entity. See Section 1000.210”. Add “1000.210 PRIVATE ROADS: A private road must be built and maintained to current county subdivision standards by private party. Section 1471, remove entire section 1471. Sec. 1472, Change “\$100” to “\$500”. Section 722 Change “Township Clerk” to “Township Fiscal Officer”. Section 725 Change “Clerk” to “Township Fiscal Officer”. Motion was seconded by Rob Lapuh. All voted aye; none were opposed. Motion carried.

Motion was made by Ms. Krysa to remove “Satellite Dish” from definition page 2-22, 23 and replace satellite signal receiver with; “Satellite Dish – Dish shaped parabolic antenna intended to receive satellite transmissions for television or broadband access”. Remove from Article 8: “P8-2 AC District #46 and footnote 8; P8-6 IOP District #38; P8-10 NC District #53, P8-13 R1 District #15; P8-15 R2 District #15; P8-17 RC District #19” and remove from Article 10; “Section 1000.10-1000.15”. Motion was seconded by Rob Lapuh. All voted aye; none were opposed. Motion carried.

Motion was made by Ms. Polak to remove from “Sec. 8 IOP Remove item #31” Oil /Gas Wells; Sec. 8 NC Remove item #43 “Oil/Gas Wells”; Sec. 8 R1 Remove item #10 “Oil/Gas Wells”; Sec. 8 R2 Remove item #10 “Oil/Gas Wells”, Sec. 8 RC Remove item #12 “Oil/Gas Wells”. Motion was seconded by Rob Lapuh. All voted aye; none were opposed. Motion carried.

Motion was made by Ms. Polak to add to Sec. 2 definitions “ADULT FAMILY HOME: A residence or facility that provide accommodations to 3-5 unrelated adults and supervision and personal care to at least 3 of those adults and is licensed according to the provision of the ORC.” Striking out “Chapter 3722d”. Add to Section 2 definitions “ADULT GROUP HOME: A residence or facility that provide accommodations to 6-16 unrelated adults and supervision and personal care to at least 3 of those adults and is licensed according to the provisions of the ORC” striking out “Chapter 3722”. Add to section 2 definitions “FAMILY: An individual or married couple and the children thereof with not more than 2 other persons related directly to the individual or married couple by blood, marriage, adoption or placement by a government or social service agency. A family may also be a group of not more than 5 persons not related by blood, marriage or adoption occupying a dwelling until as a single housekeeping organization.” Add to Section 2 definitions “FAMILY HOME: A residential facility that provides room and board, personal care, habilitation services and supervision in a family setting for at least 6 but not more than 8 mentally disabled persons.” Add to Section 2 definitions “GROUP HOME: A residential facility that provides room and board, personal care, habilitation services and supervision in a family setting for at least 9 but not more than 16 mentally disabled persons.” Motion was seconded by Ms. Krysa. All voted aye; none were opposed. Motion carried.

New Business: Secretary, Dolores Allen, submitted her resignation and explained difficulty with inability to update zoning book as it is on the computer in PDF forms and this format does not allow edits. The Trustees will be given a letter and job description from Ms. Allen. Ms. Allen indicated that she was never interviewed for the position and guidelines were not addressed or explained at the time she was hired. Ms. Krysa stated the interview process should include a member of the Zoning Board along with the Trustees. Ms. Allen stated she will be present at the next Zoning Meeting to assist.

Ms. Krysa addressed that the Austinburg Township Zoning website is unavailable.

A public notice will be placed in the Star Beacon to alert the public of the next Zoning Meeting. This notice must be placed 10 days prior to the meeting. A source book for guidance could not be located at the meeting.

Reverse lot definition was discussed. Mr. Beninato as Zoning Inspector said that he considers the front of the house by the location of the front door.

Chair Miller made a MOTION to adjourn the meeting. Ms. Polak seconded. All voted aye; none were opposed. The MOTION carried. The meeting was adjourned at 6:43 PM.

The next Regular Meeting will be Wednesday, June 5, 2019 at 5:15PM.

Respectfully submitted,

Dolores Allen

Zoning Secretary