

# BURTON TOWNSHIP ZONING COMMISSION

14821 Rapids Road | Burton, Ohio 44021 | 440.834.1500

## MEETING MINUTES

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**Date:** February 28, 2017

**Time:** 7:00 p.m.

**Location:** Burton Township Administration Building

**Purpose:** Work Session

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### CALL TO ORDER

Chairman Gorris called the meeting to order at 7:00 p.m. Members recited the Pledge of Allegiance.

### ROLL CALL

**Commissioner(s) Present:** Chairman Nick Gorris, Vice Chairman Tim Snyder, Bill Finzel, 1<sup>st</sup> Alternate Dan Kotek.

**Absent:** Doug Klingman, Tim Hess.

**Visitors:** Dan Whiting, Rick Gruber.

### REVIEW AND APPROVAL OF MINUTES

The January 10th minutes were provided and reviewed. There were several minor corrections suggested by Vice Chairman Snyder. These revisions were manually made to the minutes. Vice Chairman Snyder moved to approve the minutes as rewritten, Chairman Gorris seconded the motion. All Commissioners in favor. None opposed. The motion was passed.

### CURRENT BUSINESS

*Review of Zoning Resolution Amendment Recommendation:* Chairman Gorris explained that this review was intended for the regular February 14<sup>th</sup> meeting, however it was rescheduled due to low attendance. He further explained that the

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Commission would still have time to submit the Amendment before the next GCPC meeting on March 14<sup>th</sup>.

Prior to the review, Chairman Gorris addressed Mr. Whiting as to any new business. Mr. Whiting stated that there was none.

Chairman Gorris clarified to the Commission that the Amendment Draft included:

1. the Commission's suggested changes (*purple, bold, italics*)
2. discussion topics for the Commission for a later date (yellow highlight)
3. recommendations from Director Dietrich & ACPA Wieland (green highlight)

*\*The full Amendment Draft is included as Exhibit 1, and can be referenced for the full changes.*

Chairman Gorris stated that he would run through the changes and discuss any questions or concerns the Commissioners had.

Chairman Gorris began with Article I and reviewed the following items with the Commission:

- 102.0 Purpose of Zoning Resolution
- 104.0A, 104.0D, 104.0G, 104.0H, 104.0I, 104.0J, 104.0K Powers Not Conferred by Chapter 519 of the Ohio Revised Code or this Resolution
- 105.0A Schedule of Fees, Charges, and Expenses; and Collection Procedure

No further discussion from the Commission.

Chairman Gorris moved on to Article II and reviewed the following items with the Commission:

- 201.0 Words and Terms Defined
  - "Adult family home"
  - "Adult group home"
  - "Agritourism"
  - "Farm"
  - "Licensed residential facility"

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- “Medical marijuana”
- “Public utility” – Public Service A4 & A5, Public Concern B3
- “Township board of zoning appeals”
- “Township fiscal officer”
- “Use”
- “Zoning inspector”

Further discussion ensued on “Medical marijuana” and “Zoning inspector”. It was decided that both spellings of “marijuana/marihuana” would be submitted for the definition of “Medical marijuana”. The Commission also suggested that Assistant Zoning Inspector be added to the definition of “Zoning inspector”.

Chairman Gorris moved on to Article III and reviewed the following items with the Commission:

- 300.1 Description of Zoning Districts
  - Legal Description For R-3 Medium Density Residential District, Parcel 2 (the spelling of Ronyak)
- The change from “clerk” to “Fiscal Officer”
  - Official Zoning Map, C
  - 301.1 Location of Official Zoning Map
  - 301.2 Amendments to the Official Zoning Map

No further discussion from the Commission.

Chairman Gorris moved on to Article IV and reviewed the following items with the Commission:

- 401.2I Prohibited Uses In All Zoning Districts
- 402.3 Permitted Accessory Buildings, structures, and Uses
- 402.4 Conditional Buildings, Structures and Uses
- 402.8B4 Maximum Height
- 402.11 Permitted Buildings, Structures, and Uses in Required Yards

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- 402.12A4 Manufactured Homes
- 402.13 Adult Family Homes
- Table 403.2 Permitted Uses, Conditionally Permitted Uses and Accessory Uses for Office, Commercial and Industrial Districts
- 403.7 Transition Buffers
- 403.11 Outdoor Display and Storage
- 404.0 Outdoor Wood-Fired Boilers (OWB)
- 404.1 Definitions
- 404.2 OWB Regulations

Further discussion on when to spell out Outdoor Wood-Fired Boilers or use abbreviation OWB ensued amongst the Commission. It was decided that there would be no changes and the Amendment Draft would stay as is for this item.

A discussion on 402.3 & 402.11 ensued. The Commission agreed that the buildings, structures and uses listed in these regulations would stay as is for the Amendment Draft and they would revisit at a later date.

403.11C was discussed in more detail amongst the Commission. The Commission agreed that the regulation was too specific. Chairman Gorris suggested removing it from the resolution. Vice Chairman Snyder asked Inspector Gruber for his insight on this regulation. Inspector Gruber commented that if the Commission is comfortable with the first two bullet points, A & B, then he doesn't see a reason to keep it. Inspector Gruber also suggested removing the specifics and making the regulation more general. The Commission deliberated further based on Inspector Gruber's recommendations and decided to keep the regulation as is and revisit at a later date.

Chairman Gorris moved on to Article X and reviewed the following items with the Commission:

- 1000.3 Duties of Township Zoning Inspector

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- 1000.3L
- 1000.3N
- 1002.5 Supplementary Conditions on Variances

*Formal Initiation of Zoning Resolution Amendment:* With no further discussion from the Commission, Chairman Gorris recommended to formally submit the amendment to the GCPC. For the record, Chairman Gorris stated that the amendment would be referred to as number 2017 -01, Exhibit 1.

Chairman Gorris moved the adoption of the following motion: That an amendment to the Burton Township Zoning Resolution, identified as number 2017-01, consisting of multiple pages, marked Exhibit 1 and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Burton Township Zoning Commission this 28th day of February, 2017. Vice Chairman Snyder seconded said motion.

Roll Call Vote: Nick Gorris – yes, Tim Snyder – yes, Bill Finzel – yes, Dan Kotek – yes.

Form No. 22 Motion to Initiate Amendment to the Burton Township Zoning Resolution was filled out accordingly.

Chairman Gorris moved the adoption of the following motion: That the Burton Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2017-01, to the Burton Township Zoning Resolution as attached hereto on the 4th day of April, 2017 at 7:00 o'clock p.m. at the Burton Township Administration Building. Vice Chairman Snyder seconded said motion.

Roll Call Vote: Nick Gorris – yes, Tim Snyder – yes, Bill Finzel – yes, Dan Kotek – yes.

Form No. 27 Motion to Set Date for Public Hearing on Proposed Amendment to Burton Township Zoning Resolution was filled out accordingly.

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Chairman Gorris verified Form No. 30 Transmission of Copy of Motion for Proposed Amendment to Zoning Resolution to County Planning Commission to the Commission and the form was filled out accordingly.

### NEW BUSINESS

*Newsletter:* Chairman Gorris opened to Secretary O'Neill to discuss the upcoming newsletter. Secretary O'Neill referenced the draft of the Spring Newsletter and provided a quick overview. She stated that the "What's New" section would be removed due to the timing of the amendment, and that the "Fun Facts" section would need to be vetted with the actual stats from Rick Gruber and ~~the~~ Jason Sutter.

*Joint Township Meeting:* Chairman Gorris reminded the Commission that there would be a Joint Township Meeting on March 18<sup>th</sup> starting at 9:00 a.m.

### PUBLIC COMMENT

Chairman Gorris opened the meeting for public comment. Mr. Whiting provided a quick rundown of the tentative agenda for the March 18<sup>th</sup> meeting. Mr. Whiting also touched on the topic of a budget for the Zoning Commission. He stated that there is a broad budget that Shelley McDermott has for the Zoning Department. Chairman Gorris stated that the Commission use to receive information on trainings and that was what sparked the budget question. Mr. Whiting stated that if there is a training opportunity that the Board of Trustees is open to it. He mentioned that he hasn't seen any this year, however he did the previous year. Mr. Whiting suggested discussing this issue with ACPA Susan Wieland at the meeting on the 18<sup>th</sup>. Some other items discussed were how to obtain all the applicable addresses for the newsletter and to update the Land Use Plan.

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**NEXT MEETING**

The next scheduled meeting will be April 4, 2017 for the public hearing related to the Resolution Amendment. The next regular scheduled work session on March 14, 2017 will be cancelled.

**ADJOURNMENT**

Chairman Gorris entertained a motion to adjourn. Vice Chairman Snyder moved to adjourn; Commissioner Kotek seconded the motion. All in favor. None opposed. Meeting adjourned at 8:35 p.m.

  
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Chairman, Nick Gorris      Date      3/14/17

  
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Secretary, Katie O'Neill      Date      3/14/2017