

BURTON TOWNSHIP ZONING COMMISSION

14821 Rapids Road | Burton, Ohio 44021 | 440.834.1500

MEETING MINUTES

Date: February 13, 2023

Time: 7:00 p.m.

Location: Burton Township Administration Building

Purpose: Regular Meeting

CALL TO ORDER

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

ROLL CALL

Commissioner(s) Present: Tim Hess, Mark Sturm, Nick Gorris, Secretary - Katie O'Neill.

Absent: Joe Walkos, Dan Kotek, Greg Rinehart - excused.

Attendees: Ken Zwolinski

REVIEW AND APPROVAL OF MINUTES

Minutes from the January 9, 2023 meeting are reviewed. The first statement on page 2 was added to acknowledge Mr. Hess, 2023 Chairman, leading the meeting. Mr. Gorris made the motion to accept the minutes as rewritten. Mr. Sturm seconded the motion. Voice Vote: All in favor. None opposed. Motion approved.

PUBLIC COMMENT

Mr. ~~Zelinski~~ had no public comment.
Zwolinski

UNFINISHED BUSINESS

Township Network or Cloud based Platform: Secretary O'Neill is researching three (3) platforms to present to the Trustees at their March 6th meeting.

NEW BUSINESS

Zoning Resolution & Amendments: Secretary O'Neill shares the information pertaining to 317.081 Zoning Resolutions and Amendments from the Geauga County Recorder's Office. The letter is attached for full details.

BURTON TOWNSHIP ZONING COMMISSION

14821 Rapids Road | Burton, Ohio 44021 | 440.834.1500

MEETING MINUTES

BZA CONSIDERATIONS

Application #1585-22, submitted by Western Reserve Land Conservancy: The BZA will consider this application on Tuesday, Feb. 21st at 7:00 p.m. Appellant is requesting a conditional zoning certificate in order to use the land as a Passive Public Park with hiking trails, restroom facility, park shelter, and wetland observation deck/boardwalk. Fishing will be allowed but no hunting or ATV or other motorized vehicle usage except for maintenance activities. Park anticipated to be open during daylight hours (which may vary). The park will be staffed and may host educational groups and other Land Conservancy sponsored events to aid in the engagement of their mission.

RESEARCH TOPICS

Passive Public Park (Homework): At the BZA's request, the Commission decided to research definitions and zoning for passive parks. The Commission will also research other parks, such as Burton Wetlands and Welton Gorge.

Section 906.0 Extension: At the recommendation of the BZA, the **BOLDED** language has been suggested as an addition to the existing section:



*"No lawful nonconforming building or structure may be enlarged, altered, or relocated in a way which increases its nonconformity, but any building, structure or portion thereof, may altered or relocated to decrease its nonconformity **OR ENLARGED OR ALTERED CONSISTENT WITH THE EXISTING DEGREE OF NONCONFORMITY.**"*

NEXT MEETING

The next meeting will be held on Monday, March 13th, 2023 at 7:00 p.m.

ADJOURNMENT

With no further business, Mr. Hess entertains a motion to adjourn the meeting at 8:08 p.m. Mr. Gorris so moved. Mr. Sturm seconded the motion. Voice vote: All in favor. None opposed. Motion approved.

	<u>3/13/23</u>		<u>3/13/23</u>
Chairman, Tim Hess	Date	Secretary, Katie O'Neill	Date



CELESTA MULLINS
Gauga County Recorder

231 Main Street 1C
Chardon, Ohio 44024

Phone: 440-279-2020
E-mail:
recorder@co.geauga.oh.us

January 5, 2023

Gauga County Board of Commissioners
Gauga County Township Trustees

Re: 317.081 Zoning Resolutions and Amendments

As a reminder, please be advised that per the Ohio Revised Code, the following section is a requirement of your office:

The County Recorder shall keep County and Township Zoning Resolutions, including text and maps and amendments to them in the Recorder's Office and make all of these documents available for public inspection during normal business hours. By the fifteenth day of January each year, the County Recorder shall notify the Board of County Commissioners and the Board of Township Trustees of the Board's duty under Section 303.11, 303.12, 519.11 and or 519.12 of the Revised Code to file Zoning Resolutions and Amendments in the Office of the County Recorder. The fee provided in Section 317.32 of the Revised Code shall be charged for each Resolution and Amendment filed in the Office of the County Recorder.

The required zoning fees per the Ohio Revised Code are as follows:

- Zoning Resolutions require a \$50.00 charge for the entire document, regardless of the number of pages included and are to be filed within 30 working days after the effective date.

- Zoning Amendments require a \$20.00 charge for the entire document, regardless of the number of pages included and are to be filed within 5 working days.

Thank you in advance for your attention concerning this matter.

Respectfully Submitted,

Celesta Mullins
Gauga County Recorder





Ohio Revised Code

Section 317.081 County and township zoning resolutions kept by recorder.

Effective: January 1, 1992

Legislation: Senate Bill 20 - 119th General Assembly

The county recorder shall keep county and township zoning resolutions, including text and maps, and amendments to them, in his office and make all these documents available for public inspection during normal business hours. By the fifteenth day of January each year, the county recorder shall notify the board of county commissioners and the board of township trustees of each township within the county of that board's duty under section 303.11, 303.12, 519.11, or 519.12 of the Revised Code to file zoning resolutions and amendments in the office of the county recorder. The fee provided in section 317.32 of the Revised Code shall be charged for each resolution and amendment filed in the office of the county recorder.



(C) For entering or indexing any marginal reference, or any reference previously accomplished as a marginal reference now accomplished through electronic means, by separate recorded instrument, a base fee of two dollars and a housing trust fund fee of two dollars for each marginal reference, or reference previously accomplished as a marginal reference now accomplished through electronic means, set out in that instrument, in addition to the fees set forth in division (A)(1) of this section;

(D) For indexing in the real estate mortgage records, pursuant to section 1309.519 of the Revised Code, financing statements covering crops growing or to be grown, timber to be cut, minerals or the like, including oil and gas, accounts subject to section 1309.301 of the Revised Code, or fixture filings made pursuant to section 1309.334 of the Revised Code, a base fee of two dollars and a housing trust fund fee of two dollars for each name indexed;

(E) For filing zoning resolutions, including text and maps, in the office of the recorder as required under sections 303.11 and 519.11 of the Revised Code, a base fee of twenty-five dollars and a housing trust fund fee of twenty-five dollars, regardless of the size or length of the resolutions;

(F) For filing zoning amendments, including text and maps, in the office of the recorder as required under sections 303.12 and 519.12 of the Revised Code, a base fee of ten dollars and a housing trust fund fee of ten dollars regardless of the size or length of the amendments;

(G) For photocopying a document, other than at the time of recording and indexing as provided for in division (A)(1) or (2) of this section, a base fee of one dollar and a housing trust fund fee of one dollar per page, size eight and one-half inches by fourteen inches, or fraction thereof;

(H) For local facsimile transmission of a document, a base fee of one dollar and a housing trust fund fee of one dollar per page, size eight and one-half inches by fourteen inches, or fraction thereof; for long distance facsimile transmission of a document, a base fee of two dollars and a housing trust fund fee of two dollars per page, size eight and one-half inches by fourteen inches, or fraction thereof;

(I) For recording a declaration executed pursuant to section 2133.02 of the Revised Code or a durable power of attorney for health care executed pursuant to section 1337.12 of the Revised Code, or both a declaration and a durable power of attorney for health care, a base fee of at least fourteen