

BURTON TOWNSHIP ZONING COMMISSION

14821 Rapids Road | Burton, Ohio 44021 | 440.834.1500

MEETING MINUTES

Date: May 8, 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, Dan Kotek, Greg Rinehart, Kevin Cieszykowski, Secretary - Katie O'Neill.

Absent: Joe Walkos.

Attendees: None.

Mr. Rinehart filled in for Mr. Walkos. Mr. Hess welcomes Mr. Cieszykowski to the Commission. Mr. Cieszykowski was appointed by the Trustees on April 17th.

REVIEW AND APPROVAL OF MINUTES

Minutes from the March 13, 2023 meeting are reviewed. Minor spelling errors on page 2 were corrected. 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 - None.

UNFINISHED BUSINESS

Cloud Based Platform: The DropBox Professional account has been setup. Secretary O'Neill and Fiscal Officer McDermott are in the process of transferring information to the platform. Secretary O'Neill plans to have the Zoning Commission files available on the DropBox for the next meeting.

NEW BUSINESS

Sub HB23(R.C. 303.02, 519.02): Secretary O'Neill provided the information provided by Planning Director Crombie. This House Bill includes provisions regarding aggregate mining operations that would require the county or township to allow aggregate mineral surface mining activities as either

BURTON TOWNSHIP ZONING COMMISSION

14821 Rapids Road | Burton, Ohio 44021 | 440.834.1500

MEETING MINUTES

a permitted use or as a conditional use in any zoning district. The Commission discussed the effects of this provision. Mr. Rinehart stated it only pertains to existing operations to expand. Mr. Gorris stated new acquisitions would not be affected. There are currently no mining operations within Burton Township. The Commission decided to revisit this topic at a later date. At this time does not anticipate the need to amend the Resolution for this item.

Map & Legal Description Amendment: Mr. Gorris stated the need to amend the current map and legal description to reflect the annexation of the Demko properties into Burton Village. Parcel numbers #05-045318, #05-045319 & #05-045320 now reside within Burton Village. The Commission requested copies of the following documents to assist in this change. To the best of their knowledge a surveyor is not required in order to change the legal description:

- JEDD Agreement
- Annexation Document

This information will be reviewed at the next meeting.

Fence Permit on Rt. 168/Tavern Rd: The property located at 15864 has installed a non-conforming fence on the property. Inspector Gruber has been notified and will follow up with the owner.

Conditional Buildings, Structures & Uses: The Commission reviewed the “*NOTE” located in Section 402.4 on pages 77-79. The Commission has requested prior versions of the Resolution to see when “*NOTE” was added and whether or not items A & I should be included.

Community Solar Farms: With the electric rates expected to increase significantly coupled with abundant farmland in the township, residents may look towards alternative power supplies. These small-scale solar facilities can generate electricity and share the power among a local community of homes and businesses. Participants could qualify for a reduction in their electric bill. This alternative also significantly reduces the risk of losing power if the grid goes down. The Commission discusses this alternative, which falls under Section 402.3J of the Zoning Resolution.

BZA CONSIDERATIONS

BZA will consider Application #1594-23, submitted by Daniel Burbridge on Wednesday, May 17th at 7:00 p.m. Applicant is requesting a Conditional Use Certificate for a Home Occupation related to online sales. This request is made for the property located at 14596 Broadwood Dr. (R-5)

BZA will consider Application #1596-23, submitted by Phil Miller at a scheduled hearing date to be determined. Applicant is requesting an Area Variance for a side yard setback, seeking relief from Section 402.7(A)(2). This request is made for the property located at 14770 Aspen Hills Ln. (R-3)

BURTON TOWNSHIP ZONING COMMISSION

14821 Rapids Road | Burton, Ohio 44021 | 440.834.1500

MEETING MINUTES

BZA will consider Application # 1598-23, submitted by K.R. Burnett Family Trust at a scheduled hearing date to be determined. Applicant is requesting an Area Variance from the minimum lot area, seeking relief from Section 402.5 in order to increase the area of legal nonconforming parcel to 2.05 acres and increase frontage by 120'. This request is made for the property located at 15229 Claridon Troy Rd. (R-5)

GRANTED - BZA will consider Application #1585-22, submitted by Western Reserve Land Conservancy on Tuesday, April 18th at 7:00 p.m. They are 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. (R-5)

RESEARCH TOPICS

Definitions & Zoning for Passive Public Park (Homework): The Commission researched county parks, Burton Wetlands and Welton Gorge. Mr. Gorris found that county parks shall try to comply with zoning, however are not required to do so. This ultimately exempts them from zoning. The exact verbiage and support is being obtained. The Commission decided to research other townships to discuss adding passive parks into the resolution. (Refer to the matrix).

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.**"*

The Commission decided to table this item. They have requested copies of the following documents to consider at the next meeting:

1. Findings of Fact from BZA applications #1565-22 (Gais/Adamic) & #1583-22 (Bonner).
2. Permit for Bonner Addition in 2001.

NEXT MEETING

The next meeting will be held on Monday, July 10th, 2023 at 7:00 p.m.

BURTON TOWNSHIP ZONING COMMISSION

14821 Rapids Road | Burton, Ohio 44021 | 440.834.1500


MEETING MINUTES

ADJOURNMENT

With no further business, Mr. Hess entertains a motion to adjourn the meeting at 9:07 p.m. Mr. Sturm so moved. Mr. Kotek seconded the motion. Voice vote: All in favor. None opposed. Motion approved.



Chairman, Tim Hess 7/10/23
Date



Secretary, Katie O'Neill 7/10/23
Date