

BRIMFIELD TOWNSHIP ZONING COMMISSION

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REGULAR PUBLIC MEETING

MINUTES of June 11, 2015

Brimfield Town Hall Meeting Room – 1333 Tallmadge Road, Kent

Present: Chairman Ron Jones Debbie Darlas William Kremer

Terri Reed

Alternates: Tom Sargent Nicholas Coia

Absent: V.P. Gary Rodd

Staff Present: Wendi O’Neal, Assistant Zoning Inspector

Public Present: Dan Eisenbrei

The Zoning Commission is called to order by Chairman **Ron Jones**, at 7:10 PM on Thursday, June 11, 2015 at the Brimfield Township Town Hall.

Roll call:

Darlas: Here **Jones:** Here **Kremer:** Here **Reed:** Here
Rodd: Absent **Sargent:** Here **Coia:** Here

Alternate **Tom Sargent** reserves voting rights at the Thursday, June 11, 2015 Zoning Commission Meeting, in lieu of absentee Gary Rodd.

MOTION #2015-019

William Kremer makes a motion to accept the Agenda, seconded by **Terri Reed**. Motion passes unanimously.

MOTION #2015-020

A motion is made by **Debbie Darlas** for the approval of the minutes of the previous May 14, 2015 Brimfield Township Zoning Commission Regular Scheduled Meeting, with a seconded from **Terri Reed**. **William Kremer** abstains from the vote due to absent at the May 14, 2015 meeting. Motion passes unanimously.

MOTION #2015-021

A motion is made by **William Kremer** to go into executive session at 7:15 PM for pending litigation per Dan Eisenbrei, seconded by Terri Reed. Motion passes unanimously.

MOTION #2015-022

A motion is made by **Terri Reed** to end the executive session and resume the Brimfield Township Zoning Commission meeting at 7:40 PM, seconded by **Debbie Darlas**. Motion passes unanimously.

Dually noted as there was no action taken as a result of the executive session.

PUBLIC COMMENTS: NONE

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OLD BUSINESS:

Board reviews the final changes made previously to Section 550.C. Agricultural Uses:

- C. In such areas, on lots comprised of five (5) acres or less, agriculture uses shall comply with the following requirements:

Board reviews final changes made to Section 510.02.D.1:

- 1. All manufactured and modular homes shall be located on a permanent foundation in compliance with rules and the regulations per the Ohio Manufactured Homes Commission and all Portage County Building Department Resolutions.

Board's intention is to send three items to Portage County Regional Planning Commission at the next month's meeting.

NEW BUSINESS:

Board reviews: Section 700.10.C Illumination of Signs

Wendi O'Neal states that this will be an on-going discussion. States that more review material was given to the Board for further review; other township's regarding subject section reflects Brimfield Township's Resolution sections on signs.

The Zoning Commission decided that more research was needed in this area. Further discussion for next month.

GOOD OF THE ORDER:

Section 510.03. Regulations and Accessory Buildings and Structures

Nicholas Coia did some research to compare Brimfield Township's accessory buildings regulations to other communities.

Ravenna Township, Section 610, permit is required.

Deerfield Township, Section 3.05 states that new structure or structure alteration to any building, or storage building including accessory buildings and structures requires a certificate.

Franklin Township states zoning certificate is required and talks about accessory buildings in Section 405.

Rootstown Township states in Section 610, "no building or structure shall be erected or constructed, large structurally altered or moved in full or in part, and no use shall be established or changed in the unincorporated area in Rootstown Township, prior to the issuance of a zoning certificate.

Randolph Township uses very similar language.

Therefore, he did a sampling of township near us, and in Portage County area states that all were requiring a permit.

Terri Reed asks about the fee/price compared to others. Nicholas Coia stated that most were the standard \$25 others were a reduced fee.

Ron Jones asks if there was a size restriction for the permit when comparing other regulations.

Nicholas Coia stated that majority were stated with the wording "any and/or all structures."

Nicholas Coia looking at ours, we would have to change the 'and' to 'or' on page 147.

William Kremer asks if there was a definition for accessory building and a shed or are they one in the same?

Nicholas Coia states they are one in the same.

Wendi O'Neal states there is no difference; collectively the same. Pole barns, sheds, are all considered accessory buildings.

Nicholas Coia states that in some of them in definition sections, it would list examples of accessory buildings.

Terri Reed asks if any in the review did any state about front yard or placement on the property.

Nicholas Coia states that is the reasoning behind the permit, to determine the setbacks and placement. They follow everything that we are doing; requires the certificate.

Wendi O'Neal states that the fee could be reduced which is an administration process, but more concerned within subdivisions as to placement of the accessory buildings; more hassle in the long run. Maybe if they are replacing it, to the same footprint, like Section 520, the fee is waived?

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Nicholas Coia suggests putting the information more readily available for residents especially at Lowe's or Walmart. States that there are more rent-to-own sheds popping up that have no idea of the regulations or the placement; they just get dropped off wherever. States that majority of the storage rentals places are full, therefore the rent-to-own sheds are becoming more common. States that he rents a five by ten unit for \$65 per month, and for another \$25 a month he could own the shed in three years.

William Kremer states that majority of the garages now are twenty by twenty leaving no room for a lawn mower; with the inside measuring even smaller; so he believes that there will be an increase in sheds.

Discussion began on the price of the permit. Majority stated that the price should stay the same, but Lowe's and Walmart, Facebook everything should be used to notify residents that there is a permit required. Also directed the Zoning Department to write up some changes and bring back to the Zoning Commission.

Swimming Pools: Section 510.10 (pg. 136)

Wendi O'Neal gives an example for a house that currently has a four foot fence around the property that encloses the back yard, in which to be in compliance the resident would have to purchase a six foot fence.

Board discusses:

- There is an attachment fence that goes along the sides of the pool that can be bought for those pools to make it be in compliance.
- States insurance regulations: Above-ground pool: either a four foot fence enclosing the pool with a self-latching lock or a removable or self-locking ladder; if a deck surrounds pool would still require self-locking gate. In-ground pool: four foot fence and self-locking gate if there is yard access; does not apply if pool is only accessible by the house (patio doors). Insurance will also look at proximately compares a house in a subdivision to a house that is not where there probably is not a lot of kids around (large distance between houses), they may not have as strict requirements. Mainly looking for the fence.
- Asks where the house is, regarding the other properties, her example would not be a big deal.
- There is a belief that if anyone goes over a six foot fence, and breaks down gate to get to the pools and then drowns; that is their fault. Which this not usually what kids would do.
- States that from the insurance viewpoint, the property would be compliant, but from a zoning viewpoint the property is not in compliance due to the six (6) foot requirement of the fence surrounding pool.
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Wendi O'Neal states that each situation is different; therefore each has to be evaluated; reads the requirements from the resolution.

Board states that this section needs revisited as there should not be exceptions or a per case basis; it should be uniform for entire township.

William Kremer states that the six foot fence requirement should still remain the same; as a four foot fence could be easily climbed.

Tom Sargent states that because it could be a chain link fence regardless of height still could be climbed. States that he believes the whole purpose of the fence is to keep people (like walking at night, drunks, or little kids) from falling in. Either way people probably are not allowing the lock to lock, or forget to remove the ladder; can't police everything.

Terri Reed states that the homeowner has to be responsible and the regulations are put in to place to protect the township and if we look to simplify things and mold them to what insurance carriers are allowing then that would eliminate the difference between insurance and township regulations.

Board states that the small or portable pools are not included. Wants the Zoning Department to come up with verbiage for the pools and bring to next meeting.

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P.O.D.S.

Wendi O’Neal briefs the Board. These are removable storage containers that are placed in driveways usually for moving, and then the container is picked up and shipped wherever the person is moving; becoming cheaper than U-Hauls. Or they could be used for remodeling the inside of a home, furnishing are loaded into the Pod, and unloaded once remodel is finished. They are relatively new, but will starting see more of them. Currently there is one in a subdivision that has been there for a few months now. States that this would be listed under temporary construction trailers.

Terri Reed states that these are also being used to unclutter the house, making it more presentable for the open house as the owners wait for a buyer, which could sit in the driveway for months.

Tom Sargent states that it is becoming more common also to buy semi-trailers, without the wheels set on the property. It acts a fast, cheap, no-foundation building.

Board states that it should be added to include any size, and asks Zoning Department to return with wording of adding P.O.D.S. to the book with a limit of thirty (30) days.

Ron Jones and **Terri Reed** stated they will both miss the July meeting because of vacation.

600.08 Shared Parking (pg. 179)

Part C and G, one is shall, and the other states must submit.

MOTION #2015-023

A motion is made by **William Kremer** to delete Section 600.08

G: The applicants also need to submit a written agreement between the parties to the arrangement with the application for a Zoning Certificate.

from the Brimfield Township Zoning Resolution and is seconded by **Tom Sargent**. Motion carries.

SET NEXT MEETING:

Thursday, July 9, 2015 is the next set scheduled meeting at 7:00 PM at the Township Town Hall.

MOTION #2015-024

A motion was made by **Terri Reed** to adjourn the June 11, 2015 at 8:00 PM, seconded by **William Kremer**. Motion passes unanimously.

Chairman Ron Jones

Vice Chair Gary Rodd

Debbie Darlas

William Kremer

Terri Reed

Secretary Wendi O’Neal

Alternate Tom Sargent

Alternate Nicholas Coia