

BRIMFIELD TOWNSHIP ZONING COMMISSION

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REGULAR PUBLIC MEETING

MINUTES of August 13, 2015

Brimfield Town Hall Meeting Room – 1333 Tallmadge Road, Kent

Present: Chairman Ron Jones V.P. Gary Rodd Debbie Darlas

William Kremer (7:30 Arrival) Terri Reed

Alternates: Tom Sargent Nicholas Coia

Absent:

Staff Present: Dick Messner, Zoning Inspector
Wendi O’Neal, Assistant Zoning Inspector

Public Present: NONE

The Zoning Commission is called to order by Chairman **Ron Jones**, at 7:03 PM on Thursday, August 13, 2015 at the Brimfield Township Town Hall.

Roll call:

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

Alternate **Nicholas Coia** reserves voting rights at the Thursday, August 13, 2015 Zoning Commission Meeting, in lieu of absentee William Kremer.

MOTION #2015-032

Terri Reed makes a motion to accept the Agenda with the amended date change from September to August, seconded by **Debbie Darlas**. Motion passes unanimously.

MOTION #2015-033

A motion is made by **Gary Rodd** for the approval of the minutes of the previous July 9, 2015 Brimfield Township Zoning Commission Regular Scheduled Meeting with amended change of Gary Rodd being absent (he was present), with a seconded from **Nicholas Coia**. Motion passes unanimously.

PUBLIC COMMENTS: NONE

OLD BUSINESS:

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The **Board** decides to table Section 700.10.C Illumination of Signs until the September meeting.

NEW BUSINESS:

The Board will review the recommendations of the submitted amendments to the Portage County Regional Planning Commission (PCRPC).

Amendment One: Section 510.02 Principal Buildings, 510.02. D.1. Manufactured Homes

1. All manufactured and modular homes shall be located on a permanent foundation in compliance with the ~~1992 CABO 1 and 2 Family Dwelling Code~~ rules and regulations per the Ohio Manufactured Homes Commission and all Portage County Building Department Resolutions.

PCRPC recommended approval as submitted.

MOTION #2015-034

A motion was made by **Terri Reed** to accept the amended 510.02.D.1 as submitted with the recommendation of the Portage County Regional Planning Commission, with a second by **Nicholas Coia**. Motion carries.

Amendment Two: Section 600.08 Shared Parking Facilities

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

~~H. – G.~~

PCRPC comment: C and G have identical language and is unnecessary. Just mark H. as the new G..

PCRPC recommended approval as submitted.

MOTION #2015-035

A motion was made by **Nicholas Coia** to accept the amended Section 600.08.G. with the recommendation of the Portage County Regional Planning Commission with a seconded by **Debbie Darlas**. Motion carries.

Amendment Three: Section 550.00 Agricultural Uses

~~C. In a platted subdivision approved under Ohio Revised Code Sections 711.05, 711.09, or 711.10, or in any area consisting of fifteen (15) or more lots approved under Ohio Revised Code Section 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road can be regulated.~~

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

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Section 550.00.C.2.a.

- a. On lots of less than ~~one (1)~~ **three (3)** acres normal household pets shall be permitted....
- ~~b. On lots of one (1) acre up to five (5) acres (over five (5) acres is considered agriculture) including animal and poultry husbandry shall be permitted provided care of the animals complies with all state, county and local health and safety requirements and the animals do not create a nuisance for neighboring property owners or residents within the Township. This includes the proper disposal of waste and control of odor and noise.~~
- On lots of three (3) acres and over including animal and poultry husbandry shall be permitted provided care of the animals complies with all state, county, and local health and safety requirements and the animals do not create a nuisance for neighboring property owners or residents within the Township. This includes the proper disposal of water and proper control of odor and noise. *If the use of agricultural is not used within one (1) year and/or if the land changes ownership the land reverts to prohibited use of agriculture use.* **Lots under five (5) acres do not qualify for agricultural exemption.**

PCRPC comment: Section 550.00.C.2.b, the last sentence (italics) should be deleted. If there are non-conforming animal's onsite then they would normally get two (2) years and or "land reverts to prohibited use of agricultural use." It does not appear that the last sentence is needed.

Board went further Section 550.00.C.

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

1. On lots of three (3) to five (5) acres will comply with ORC Agriculture use.
 - a. Lots of three (3) to five (5) acres are not subject to agricultural exemptions.
2. On lots less than three (3) acres normal household pets shall be permitted. Animals being raised for recognized youth programs (i.e. 4-H, FFA) must not have a mature weight of over 20 pounds and the project must be for less than twenty-four (24) months. All state, county, and local health and safety requirements must be followed and no nuisance be created for neighboring property owners or residents within the Township. This includes the proper disposal of waste and control of odor and noise.

Further research for the Ohio Revised Code Agriculture Uses per fencing and shelters.

Section 550.00.C.4 Fencing for Animals

Whenever one (1) or more animals are kept outdoors on a lot, ~~the follow regulations are established for the keeping of animals in accordance with the BRIMFIELD TOWNSHIP RESOLUTION Section 510:06~~ fencing for animals shall be in accordance with:

- ~~a. Fencing for Large Animals:~~
- ~~1. A fence shall be required for large animals such as but not limited to horses, mules, donkeys, swine, cattle, buffalo, alpacas, and llamas.~~

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- ~~2. A letter from the OSU Extension Office shall be provided by the applicant stating that the intended fenced area will provide at least the minimum grazing area for grazing livestock in compliance with the latest "animal unites" per acre standards set forth by OSU Extension Service, based on the applicant's intended use and types of pasture grasses to be planted.~~
- ~~b. Fencing for Small Animals~~
 - ~~1. A fenced area is optional for small animals such as, but not limited to, poultry, goats, sheep, mini breeds of horses, cattle and swine~~
- a. For lots less than three (3) acres fencing for animals shall follow requirements set forth in the Section 510.06
- b. For lots equal or greater than three (3) acres fencing for animals shall follow agricultural standards.

PCRPC comment: Section 550.00.C.4, there is a reference to another section in this Zoning Resolution. It does not need to include more than the section number, but that is just a suggestion.

PCRPC Recommendation: Staff would recommend approval with recommended changes.

Dick Messner states that the discussion that was discussed at the Regional Planning Commission is that: since the idea is to treat three (3) acres as the five (5) acres then why not just place the three (3) acres as approved agricultural use with the noted that three (3) acres does not include the agricultural exemption.

William Kremer arrived at 7:30pm which reverts **Nicholas Coia** to alternate.

MOTION #2015-036

A motion was made by **Terri Reed** to table Section 550.00 per the request for further research on the Ohio Revised Code for agricultural standards/restrictions with fencing and shelters, motion was seconded by **Bill Kremer**. Motion carries.

Amendment Four: Section 510.03 Regulations of Accessory Buildings and Structures Section 510.03.

- ~~1. The total maximum square footage of any and all accessory buildings shall not exceed twenty-five (25%) percent of the property area located behind the principle dwelling. The back (rear) foundation of the principle building being the starting point of "behind the principle building". The total maximum square footage of any and all accessory buildings shall not exceed the living square footage (basement square footage excluded) of the principle building. (11/27/2004) (#2004-427).~~
8. Additional requirements for accessory buildings and structures ~~with any dimensions~~ greater than ~~12 feet by 16 feet~~ and/or ~~192~~ **200** total square feet shall comply with the following requirements:

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9. Additional requirements for accessory buildings and structures ~~with any dimensions~~ equal to or less than ~~12 feet by 16 feet~~ and/or ~~192~~ 200 total square feet shall comply with the following requirements

a. ~~A Zoning Certificate is required.~~

PCRPC comment: Adding an “or” is very minor. However, the 192 square foot maximum maybe arbitrary and/or dimension of 12’x16’. This maybe something the Zoning Commission may want to evaluate in the future.

PCRPC recommendation: Staff would recommend approval.

MOTION #2015-037

A motion is made by **Terri Reed** to amend Amendment Four 510.03.A.1. to remove number one, renumbering in this sections, to Section 510.03.A.8. and Section 510.03.A.9 to remove the dimension to replace with a flat 200 square feet that is seconded by **Gary Rodd**. Motion carries.

MOTION #2015-038

A motion is made by **Gary Rodd** stating that any accessory building under 200 square feet does not need a zoning certificate, which eliminates Section 510.03.A.9.a that is seconded by **William Kremer**. **Terri Reed** opposes. Motion carries. **Terri Reed** rescinds the ‘nay’ vote with the change to ‘yay’.

GOOD OF THE ORDER:

None

SET NEXT MEETING:

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

MOTION #2015-039

A motion was made by **Debbie Darlas** to adjourn the August 13, 2015 at 9:00 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