

BOSTON TOWNSHIP ZONING

ZONING COMMISSION MEETING – October 15, 2024

Present: Marty Griffith, Todd Liebenauer, Linda Littler, Matt Gaul, Mike Mraz

Also present:

Zoning Inspector: Mike Anderson

Zoning Secretary: Jerilyn McGuire

Al Schrader from Roderick, Linton and Belfance

Mark Majewski from Northstar Planning

Public attendees:

Nick Janigian

Shawn Frazier

Liebenauer called the meeting to order at 6:30.

Liebenauer stated that a public hearing for changes to the zoning book will be conducted. Normal business to be suspended until the hearing is over.

Todd opened the public hearing, went through the procedures of the hearing and noted the highlights. He also indicated we have taken information from chapter 4 and moved into chapters 5, 6 and 7 along with some other small items.

Secretary, Jerilyn McGuire, read comments from the Summit County Planning Commission along with suggested actions from Mark.

Mark Majewski spoke next and summarized the high points of the updates to the resolution:

- 702A – deleting vehicle wash from SRB district
- Amend 902.05 one-time extension of a zoning permit. Zoning inspector may approve a one-time six month extension. Fee paid within 15 days of initial expiration
- Home occupations: changed definitions and types permitted in the districts. Craft or revenue enhancing – in your home. Three types:
 - 1 – not much impact on the neighbors, no evidence
 - 2 - a little more heavy duty – can see from outside.
 - 3 – allowed in the BC districtTypes 1 and 2 are permitted in residential district. With the following standards:
 - 1 -permitted without a zoning permit.
 - 2- required zoning permit
 - 3 – Business Corridor with conditional use.
- Fences – changes – definition updated; sections in 409 being deleted and distributed/relocated to proper chapter. Residential district fences were addressed. Standards – with materials and height. The neighbor will see the good side of the fence. Chart indicated with permitted fence types. Prohibited fence types also indicated. Need a

permit before installing a fence. Standards for fences read, Commercial districts – a little more liberal standards.

- Chapter 4 – moved into other chapters where they make sense.
- Additional notes: Amendments for accessory buildings in residential districts. Driveways – where they go; height of public buildings. Moved garage sale section to residential district. No content changes
- Last 3-4 pages info moved from chap 4

Todd asked public if they would like to comment. Al swore them in. Individuals were Nick Janigian and Sean Frazier. Both swore to tell the truth

Comments in favor – Nick thinks home occupation stuff is fine.

Opposed – Nick is opposed to a lot. Per Nick – the changes regarding fences are so there are no more fences like his. Also per Nick, no other township in Ohio tells people what they can do with their fences. It's a shame and he hopes there is regret.

Mr Frazier inquired about the definition of sheet metal and how to regulate that since there is no definition? Per Al – use the dictionary definition. Frazier also inquired if there was a reason that this has come up (sheet metal fences)? Todd's response: we were asked by trustees to review fence types and had Mark review regulations for other communities and give us recommendations. These are our proposed changes. Mr Frazier understands why we wouldn't want everyone to have sheet metal fences - so not everyone has the same looking fence

Fence discussion conclusion: although Nick Janigian's fence is grandfathered in, he is not happy with the updates to be made to the Zoning Resolution for fences. Nick also believes the changes are a result of the trustees emailing Mark asking for changes so a fence like Nick's doesn't happen again. Mike A agreed emails occurred, but did not influence the overall decision.

Todd informed Nick that the book is ever evolving. These recommendations will most likely move on to the trustees and Nick is more than welcome to attend their hearing. Al followed up with – trustees represent the community and if people come to them with complaints about fences they need to listen. Per Nick – Nobody has put it in writing or shown up to say they don't like the fence

Frazier posed a question regarding gates: he strung a cable across the driveway to keep people from turning around in his driveway and is that considered a gate? Todd and Mike Anderson did not think it's considered a gate and should not be an issue. Mark also did not consider that a gate.

Nick with one additional question – how did we end up with 12 ft wide gate width? Concern about existing driveways that might exceed 12 feet wide. Per Mark – this would affect a new driveway.

Additional discussion held regarding 12 ft gate width. Todd agrees we should review this for existing situations where the driveway exceeds 12 feet. Nick suggestion – maximum gate width can't exceed driveway width. Per Mark – will try to accommodate existing, legally there driveways.

Frazier – what is the purpose of 12 foot width? Mike A – from Summit County.

Nick inquired about electrified fences – people use them to keep deer out. Todd indicated that falls under agricultural.

Todd closed the public hearing at 7:30 and thanked everyone.

It was agreed that we should amend what we have for driveways. Al's suggestion: **gate width is to accommodate the width of the driveway.**

Moving on to Summit County's comments:

Fences – question was raised if we should even mention electric fences. Ultimately agreed with Mark's suggestion.

Discussion held and commission agreed to forward the recommendations and additional corrections/suggestions from Mark Majewski to the trustees

Linda Littler made a motion to move this to the trustees. Marty Griffith seconded the motion. .

Votes:

Todd Liebenauer – Yes

Linda Littler – Yes

Marty Griffith – Yes

Matt Geul – Yes

Mike Mraz – Yes

All in favor of moving recommendations and additional suggestions from Mark Majewski.

Zoning inspector report

Activities:

- Basketball Training Facility interested in 5130 AC
- Kamper City building completed
- Smith outdoor, Kamper City Billboard
- Jenkins, 3238 Oak Hill new house - barndominium
- Baker, 350 Kendall Park new house – lot split
- Commission working on new zoning regs. Home occupation, section 4, side setbacks and more
- Suncrest Gardens sign – BZA hearing 10/22/24
- 5772 AC outdoor storage plans
- 4967 AC, Winery, Seumar Holding Group Winery/ event site AC & Seasons meeting, talking about multi use. Parcell 0700013 moving forward

Old business

Additional Text Amendment Topics from Mark:

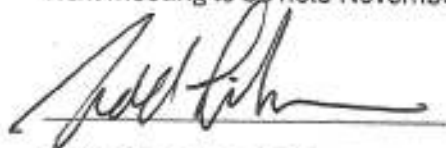
- Bathrooms in BC

- Occupancy permits / zoning compliance – need to decide on Certificate of Appropriateness of Zoning Conformance Certificate. Occupancy permit to be eliminated.
- Windmills / solar panels / generators – discussed during 9/10/24 meeting; more to discuss
- Replacing decks and porches. 507 and 902; discussed on 9/10/24, but more to discuss
- Set backs – needs discussed
- Accessory buildings – needs discussed
- Definition of temp structure - might not need to be worried about temp structures definition. One township addressed it.
- Site plan – needs discussed
- Marijuana establishments – needs additional discussion
- Multi use. – needs discussed
 - Mike A – for multi use – BC and Seasons Rd - receiving phone calls for multi use. Resi- apt building mix. What do we want to do? Apt on top and restaurant or retail on bottom. Business corridor. Could apartments be considered commercial? JEDD – no residential. Al needs to research the law.
- Mike – employee on site to generate JEDD money.

Minutes from September 10, 2024 meeting were reviewed. Motion by Linda Littler to approve minutes. Motion was seconded by Matt Geul. All voting "aye" approved.

The motion to adjourn was made by Marty Griffith. Meeting was adjourned was 8:35.

Next meeting to be held November 12, 2024.



Todd Liebenauer, Chairperson



Jerilyn McGuire, Secretary