

BOSTON TOWNSHIP ZONING

ZONING COMMISSION MEETING – July 9, 2024

Present: Don Beal, Mike Mraz, Todd Liebenauer and Linda Littler

Also present: Trustee Randy Bergdorf

Zoning Secretary – Jerilyn McGuire

Paul Kaczmarek in attendance – Chairperson of BZA

David Randolph – Legal representation

Matt Geul – from public – possible member for BZA or Commission

Mark Majewski from North Star Planning

Absent: Mike Anderson, Marty Griffith

Liebenauer called the meeting to order at 6:30

Minutes from June 11, 2024, meeting were reviewed. Mraz motioned to approve the minutes. Don seconded the motion. All voted "aye" in favor.

Discussed 5352 Akron Cleveland Rd – hearing scheduled for July 23. BZA needs comments from the Commission

Bergdorf indicated a public records request has been submitted – requesting information on why the current version of Zoning Resolution was not on the website. Previous Zoning Resolution has a date similar to most current one. Information on how we got to the current version was requested.

Zoning Inspector Report – presented by Randy

Items worth noting:

- Dollar General can be removed from report
- Boston Mills Art Fest – working on permits at the time
- 5079 AC – expressed interest in Hoop building
- 5910 Main St – garage addition – waiting on NPS approval
- 170 Kendall Park – foundation issues, non conforming set back; previous pending sale stopped
- 5772 AC – outdoor storage application- McShane
- 5057 AC – billboard 1152 sq ft - denied permit
- 4967 AC – demo app – part of winery project
- 5374 – Brownstown Storage – sign application
- 200 Kendall – Certificate of appropriateness issued

Old Business - Zoning Resolution

Home Occupation – suggestion for chart on pg 6 – type of vehicle acceptable for Type 2 – “not larger than a single axle.”

Fences:

509 - some updates were made

Mark to verify any 8 ft fences are changed to 6 feet fences throughout the document

513 e – redefined sight triangle; 513 g – indicates what type of fence goes where

Language added to help with chickens, deer and tree guards

Discussion was held regarding the Table in 513g and possible confusion with No's with asterisks and what is permitted below, #3 in particular. Mark to review to make clearer. Also additional attention to “set back” to be noted

Chapter 7

Deleting vehicle wash

Discussion regarding “similar use” – changes should have gone through for similar uses

N in 702 – similar use – refers back to 701 and 701A

Pg 69 906.01 a,8 – language to be reviewed regarding similar use

Standard of similar use should be related to what is permitted

Mike's list – For Zoning Board to review

- Solar panels – need to be discussed
- 405.09 – Garage Sale – Application form is available - section says application is available on the website. Garage sales moving to 513
- Fee Schedule – bostontwpzoning@gmail.com needs updated
- 405.02 “by” should be “be” from sentence: *shall not **by** encroached upon*; this went to Chapter 1 – 105.02 and should be updated to “be”
- 406.03 – Non conforming uses – 2 years or 1? Should be 2 years
- 407 should it be in the 1200 section? – this is moving to chapter 1
- 408.01 – sound levels. Should “or” be changed to “of” in sentence: *No activity on private property shall emit noise in excess **or** sound levels indicated in the table below.* Moving to 108. “Of” seems correct
- 902.05 Expiration of Permits – 1 yr vs 6 mths/ re-issue 1 time

- should permit be for one year and not six months? Suggestion made to allow Zoning Inspector to have the ability to extend permit for 6 mths. Kaczmarek with recommendation to make sure a paper trail exists if an extension is granted. Details to be worked out – extension to be requested prior to expiration of existing permit; when would application for extension need to be submitted (60 days prior to expiration of current permit?) Mark to review.
- 905.03 Yard Maintenance #'s are missing.
- Do Buildings in BC need restrooms?
 - Kaczmarek suggested there's evidence somewhere that the health authority has approved that an office building will have restrooms – ie – a general occupancy permit from the health department should address this. Section 404 refers to health authority. Agreed to postpone this discussion.

Discussion to continue regarding the remainder of the list.

Additional Old Business –

Additional discussion regarding 5352 Akron Cleveland Road. Recommendations from the Commission to the BZA:

- 1) The applications need to be complete and 2) variances requested are necessary based on the regulations.

New Business –

None

Linda motioned to adjourn the meeting at 8:09pm. Next meeting to be held on August 13, 2024



Todd Liebenauer, Chairperson



Jerilyn McGuire, Secretary