

Jackson Township Zoning Commission Meeting Minutes

January 21, 2016

Members Present: James Conley
Scott Sandrock
Larry Everhard
David Thiel
John Weston
Fredrick Monsell-Alternate
Chylece Head-Alternate

Zoning Inspector: Joni Poindexter

5:00 PM Work Session – The Jackson Township Zoning Commission will hold a public work session regarding misc. text amendments including, but not limited to, restaurant type A and B, Fences in residential districts, decks , and a modification of the parking regulation table.

Ms. Poindexter stated the first matter is the nominations for Chairman and Vice Chairman.

Mr. Everhard nominated Mr. Conley as Chairman and Mr. Sandrock as Vice Chairman. Mr. Thiel seconded the motion. There were no other nominations.

The vote was: Mr. Weston-yes, Mr. Thiel-yes, Mr. Everhard-yes, Mr. Sandrock-yes, and Mr. Conley-yes.

Ms. Poindexter stated that this is a work session for misc. text amendments. They have been reviewed by the Law Director. The first amendment is to separate the type of restaurants that they have because they are running into issues with parking because it is not a one size fits all. They would be establishing a restaurant type A which would be a restaurant with an occupancy load greater than 75 occupants based on the Stark County Building code. The other would be a restaurant type B which would be for an occupancy load with 75 occupants or less. They would also add a definition for a restaurant drive thru which would be for the little coffee shops, etc. that have no seating therefore there is no requirement for a lot of parking.

The board had a concern about it stating “inside the establishment” because they could have seating outside.

Ms. Poindexter stated that this is meant for establishment that only have a drive up window and there is no seating. If they have any seating outside then it would throw it into the restaurant type B because of the definition of type B that states serving meals and beverages which are consumed on its premises by customers seated at table or counters either inside or outside the establishment.

The board agreed to change the wording so it reflects “no seating inside or outside the establishment”.

Ms. Poindexter stated that skipping to the parking requirements a restaurant type A would be required to have one space for every 100 sq. ft. of building footprint and type B would be required one space for every 200 sq. ft. of building footprint. A restaurant, drive thru would be required 4 spaces because they are small establishments usually with less than 4 employees.

Ms. Poindexter stated the definition of shopping center would be added because there is currently nothing defining a shopping center.

Mr. Sandrock stated that the definition of shopping center should also be for plaza because some shopping centers are called plaza.

Ms. Poindexter stated then they also need to add the word plaza to 601.2(4)(A)& (B) to include the word plaza.

The board agreed.

Ms. Poindexter stated that the change in 401.17 is adding wording so the side yard setback for accessory structures would be the same as the principal structure for properties that were platted prior to November 13, 1959, that are sixty feet or less, at the required front building line of 5 ft. This is due to it doesn't make sense to required an accessory structure to be 10 ft. from the side property line but the principal dwelling can be 5 ft. from the side property line.

The board agreed.

Section 401.11 would be changed for fences to say "See section 401.12F. 401.12F that refers to fencing would require a permit for a fence. There is currently no permit required. With the change fences would be permitted to a maximum height of 8 ft. along the side and rear property line as long as it is a minimum of 25 ft. from the front yard setback. Fences that are within the 25 ft. front yard setback would still have to be a maximum height of 4 ft. An illustration would be added also to show the difference is fence height and setbacks.

After several discussion the board agreed to modify the language to include insuring that no one could put a fence parallel with the road right of way in front of their house at 8 ft. even if it was setback greater than 25 ft. from the front setback and to specify the front and side yards.

Ms. Poindexter stated that she would modify the language.

Ms. Poindexter stated the section 401.12(C)(4) is modifying the setback so freestanding decks 120 sq. ft. or greater must be a minimum of 10 ft. from the side property line and (c)(5) would include decks as an accessory to an above ground swimming pool would be a minimum of 10 ft. from the side or rear property line.

The board agreed.

Ms. Poindexter stated section 601.2 is mostly combining the same parking regulations in the table into one category.

Mr. Everhard had a concern about grouping Theaters into the same as group as Health Fitness Centers, Ice or Roller skating rink and bowling center because he thinks theaters need more parking and by grouping them it is changing theater parking from one space for every 100 sq. ft. to one space for every 200 sq. ft.

Ms. Poindexter stated that theaters have a lot of areas that are not seating, such as hallways, concession stands, restrooms, screening and equipment areas.

Mr. Everhard stated he thinks a compromise would be one space for every 150 sq. ft.

The board agreed.

Ms. Poindexter stated 601.3(B) is adding the words “for the proposed principal use of the building” because right now it says property and if we are going by the footprint of the building it should stay building, not property.

The board agreed.

Ms. Poindexter stated section 601.3(F) is adding the words “three or less uses” so it says “A building or property occupied by three or less uses that has specific requirement for different components of the use, operating normally during the same hours, shall provide spaces for not less than the sum of the parking spaces required for each use considered separately” because of the definition of shopping center/plaza being four or more individual business retail and service uses.

The board agreed.

Ms. Poindexter stated that she would make the modifications as discussed and get them out to the board.

Mr. Everhard made a motion to initiate the text amendment.

Mr. Thiel seconded the motion.

The vote was: Mr. Weston-yes, Mr. Everhard-yes, Mr. Thiel-yes, Mr. Sandroock-yes, and Mr. Conley-yes.

Ms. Poindexter stated that she needed a motion to approve the meeting minutes from the November 19, 2015 meeting.

Mr. Thiel made a motion to approve the meeting minutes from the November 19, 2015 meeting and Mr. Sandroock seconded the motion.

The vote was: Mr. Weston-yes, Mr. Everhard-yes, Mr. Thiel-yes, Mr. Sandroock-yes, and Mr. Conley-yes.

Mr. Conley adjourned the meeting.

Respectfully submitted,

Joni Poindexter
Zoning Inspector