



Summit County Planning Commission (SCPC)
Thursday, February 24, 2022 - 3:00 p.m.
County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio
Meeting Agenda

- | | | |
|----|--|-----------------------|
| A. | Call to Order | Chair Mavrides |
| B. | Roll Call | Tubbs |
| C. | Approval of the January 27, 2022, SCPC Minutes | Chair Mavrides |
| D. | Business Items | Knittel |

New Business

Item # 1 - Meadows of Wintergreen Ph 4 – Preliminary Plan – Springfield Township – Proposing 70 lots on 24.9951 acres. Located at the intersection of Sanitarium and Portage Line Rd.

Item # 2 - Hart’s Landing Replat – Springfield Township – To create lot 4 and Block B (future development) from Block A (future development). Creation of a new lot in a platted subdivision requires SCPC approval.

Item # 3 - Zoning Text Amendment – Sagamore Hills Township – Section Three Residential District – to amend setback language for residential structures.

- | | | |
|----|----------------------------------|-----------------------|
| E. | Report from Assistant Director | Tubbs |
| F. | Comments from Public | Chair Mavrides |
| G. | Comments from Commission Members | Chair Mavrides |
| H. | Other | |
| | 1. Legal Update | Matz |
| I. | Adjournment | Chair Mavrides |



**Summit County Planning
Commission (SCPC)**

Thursday, January 27, 2022 - 3:00 p.m.
County of Summit, County Council
Chambers 175 South Main Street, 7th Floor,
Akron, Ohio

Meeting Minutes

Members Present: Dennis Stoiber, Jason Segedy, Robert Terry, Jeff Snell, Jerry Feeman, David Kline,

Members Absent: Liz Walters, George Beckham, Allen Mavrides

Staff: Dennis Tubbs, Stephen Knittel, Deb Matz.

Others: Joe Paradise – SCE, Makaila Wilson – TRW Construction, Pat Ryan – Richfield Township, Ed Boeing – Applicant for Item #4, Don Saunders – Northfield Township Township.

A. Call to Order

Chair Mavrides

Dennis Stoiber chaired the meeting and called the meeting to order on *Thursday, January 27, 2022, at 3:00 pm* in the County of Summit Council Chambers, 175 South Main Street, 7th Floor, Akron Ohio 44308.

B. Roll Call

A roll call was conducted by *Dennis Tubbs* the attending members constituted a quorum.

C. **Approval of the October 27, 2021, SCPC Minutes**

Chair Mavrides

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Open Seat						
Feeman, Jerry	X			X		
Open Seat						
Kline, David	X	X		X		
Mavrides, Allen						
Segedy, Jason	X		X	X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X					
Walters, Liz						

Motion

David Kline made a motion to approve the January 27, 2022, SCPC minutes, and it was seconded by **Jason Segedy** the motion passed with zero abstentions.

No public comment.

D. Election of officers
1. Chair

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Open Seat						
Feeman, Jerry	X			X		
Open Seat						
Kline, David	X	X		X		
Mavrides, Allen						
Segedy, Jason	X		X	X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X			X		
Walters, Liz						

- Allen Mavrides was the only person nominated, with a motion by **David Kline** and Second by **Jason Segedy**.

Motion

David Kline made a motion to elect Allen Mavrides as Chair, and it was seconded by **Jason Segedy** the motion passed with no abstentions.

No public comment.

2. Vice-Chair

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Open Seat						
Feeman, Jerry	X		X	X		
Open Seat						
Kline, David	X			X		
Mavrides, Allen						
Segedy, Jason	X	X		X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X			X		
Walters, Liz						

- Dennis Stoiber was the only person nominated, with a motion from **David Kline** and a second from **Jerry Feeman**.

Motion

Jason Segedy made a motion to elect Dennis Stoiber, and it was seconded by **Jerry Feeman** the motion

passed with no abstentions.
 No public comment.

3. Secretary

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Open Seat						
Feeman, Jerry	X			X		
Open Seat						
Kline, David	X			X		
Mavrides, Allen						
Segedy, Jason	X			X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X			X		
Walters, Liz						

- Jason Segedy was the only person nominated, with a motion from **David Kline** and a second from **Robert Terry**.

Motion

David Kline made a motion to elect Jason Segedy, and it was seconded by **Robert Terry** the motion passed with no abstentions.
 No public comment.

E. Approval of the 2022 SCPC Meeting dates and submittal deadlines

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Open Seat						
Feeman, Jerry	X	X		X		
Open Seat						
Kline, David	X			X		
Mavrides, Allen						
Segedy, Jason	X			X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X		X	X		
Walters, Liz						

Motion

Jerry Feeman made a motion to approve the SCPC dates and submittal deadlines, and it was seconded by **Robert Terry** the motion passed with no abstentions.
 No public comment.

Old Business

None

New Business

Item # 1 – Glencairn Forest – Chapelton Court Replat – Richfield Township - The applicant is proposing a replat of Glencairn Forest to split lot 9-R into two lots, 9-R2 and 9-R3.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed lot split be **APPROVED**.

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Corbett, Becky						
Feeman, Jerry	X			X		
Humphrys, Helen						
Kline, David	X			X		
Mavrides, Allen						
Segedy, Jason	X	X		X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X		X	X		
Walters, Liz						

Comment

Dennis Stoiber asked about when sub lot 9R was created.

Mikala Wilson spoke about the project and the creation of the new lots.

Jeff Snell asked if the new homes will be duplexes.

Jerry Feeman asked about the lot sizes.

Pat Ryan spoke about the size of the lots and the type of homes being built, and the township has no issue with the homes being built.

SCPC members discussed the lot line running thru a common wall of the duplex.

Joe Paradise spoke about the duplex issue and stated the plat has been approved by the Engineer.

David Kline asked about utilities.

Jeff Snell spoke about the zero-lot-line issue.

Stephen Knittel spoke about the zero-lot-line issue in this development.

Jerry Feeman spoke about the zero-lot-line issue.

No public comments

Motion

Dennis Stoiber made a motion to disapprove the rezoning, and it was seconded by ***Jason Segedy*** the motion passed with one abstention.

Item # 2 – Riparian Variance – Southern Road – Richfield Township – The applicant is requesting a variance to the Riparian Ordinance to impact 0.0985 Acres of wetland to allow for a shared drive to be built to be utilized by a future lot split of parcel 4800445, 3484 Southern Rd.

1.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Text Amendment be **REQUEST BY APPLICANT TO TABLE THIS ITEM.**

SCPC Action:

Approval:

Disapproval:

Action: **TABLED**

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Corbett, Becky						
Feeman, Jerry	X					
Humphrys, Helen						
Kline, David	X					
Mavrides, Allen						
Segedy, Jason	X					
Snell, Jeff	X					
Stoiber, Dennis	X					
Terry, Robert	X					
Walters, Liz						

Comments

No public comments

Motion

Item # 3 – Text Amendment – Coventry Township – Portable Storage Containers - Proposed text amendment to the Coventry Township Zoning Regulations to add text defining and regulating Portable Storage Containers and their uses.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Text Amendment be **APPROVED**.

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Corbett, Becky						
Feeman, Jerry	X		X	X		
Humphrys, Helen						
Kline, David	X	X		X		
Mavrides, Allen						
Segedy, Jason	X			X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X			X		
Walters, Liz						

Comments

The Township was not present

Dennis Stoiber commented on the 15-foot setback and recommended having a minimum setback.

Jeff Snell recommended adding the term temporary and a time limit.

No public comments

Motion

David Kline amended his motion to approve with consideration of staff and SCPC member's comments, and it was seconded by *Jerry Feeman* the motion passed with one abstention.

Item # 4 – Text Amendment - Chickens – Proposed text to regulate the keeping of chickens within the Township.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Text Amendment be **Disapproval**

SCPC Action:

Approval:

Disapproval: **X**

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Corbett, Becky						
Feeman, Jerry	X			X		
Humphrys, Helen						
Kline, David	X	X		X		
Mavrides, Allen						
Segedy, Jason	X			X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X		X	X		
Walters, Liz						

Comments

Dennis Stoiber asked staff about the recommendation to disapprove.

Jeff Snell spoke about the ORC limits as they related to agricultural uses.

Dennis Stoiber asked about the previous action the SCPC has taken on this issue.

Don Saunders spoke about the text amendment and the history in the township.

Jeff Snell asked the number of chickens in the current resolution.

Ed Boeing spoke about the text amendment and his proposal.

Dennis Stoiber spoke about the enforcement of the rule in platted and non- platted property.

Jeff Snell commented about the ORC and agriculture and its regulation.

SCPC members had a general discussion about chickens on platted lots.

No public comments

Motion

David Kline made a motion to disapprove item #4, and it was seconded by *Robert Terry* the motion passed with no abstention.

Item # 5 – Text Amendment – Northfield Center Township - Access Drives – Proposed text to regulate access drives driveways in residential areas.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Text Amendment be **APPROVED**

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Corbett, Becky						
Feeman, Jerry	X			X		
Humphrys, Helen						
Kline, David	X			X		
Mavrides, Allen						
Segedy, Jason	X		X	X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X	X		X		
Walters, Liz						

Comments

Don Saunders spoke about the text amendment.

Dennis Stoiber asked about the County Engineers Highway access manual.

Jason Segedy asked about the surface material for drives.

David Kline asked about what vehicles are allowed in the front yards.

Joe Paradise spoke about driveways and the access manual.

No public comments

Motion

Robert Terry made a motion to approve item #5 with recommendations, and it was seconded by *Jason Segedy* the motion passed with no abstention.

Item # 6 – Text Amendment - Northfield Center Township - Solar Panels – Proposed text to regulate solar panels within the township.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Text Amendment be **APPROVED**

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Corbett, Becky						
Feeman, Jerry	X			X		
Humphrys, Helen						
Kline, David	X	X		X		
Mavrides, Allen						
Segedy, Jason	X			X		
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X		X	X		
Walters, Liz						

Comments

Don Saunders spoke about the text amendment.

Dennis Stoiber asked about Item B in the text.

Davis Kline asked about residents sending power back to the grid.

Dennis Stoiber asked if residents need to submit documents for the power consumption.

Don Saunders spoke about regulating the number of panels to not create a hazard.

Jason Segedy asked about the size of a standard panel.

SCPC members had a general discussion about solar panels.

Joe Paradise spoke about solar panels and power transmission lines.

No public comments

Motion

David Kline made a motion to approve item #6 with recommendations from staff and Engineers comments, and it was seconded by *Robert Terry* the motion passed with no abstention.

Item # 7 – Text Amendment - Sagamore Hills Township - To amend Section 7 Supplementary Regulations to prohibit any use, expansion of use, or change of use that would enable the cultivation, processing, distribution, or sale of medical marijuana or recreational marijuana in any district within the Township.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Text Amendment be **APPROVED**

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Corbett, Becky						
Feeman, Jerry	X	X		X		
Humphrys, Helen						
Kline, David	X			X		
Mavrides, Allen						
Segedy, Jason	X		X	X		
Snell, Jeff	X					X
Stoiber, Dennis	X			X		
Terry, Robert	X			X		
Walters, Liz						

Comments

Dennis Stoiber Staff about the last community to bring this issue to SCPC.

Jeff Snell spoke about the text amendment.

No public comments

Motion

Jason Segedy made a motion to add item #7 to the agenda, and it was seconded by **Robert Terry** the motion passed with no abstentions.

Jerry Feeman made a motion to approve with recommendations from staff, and it was seconded by **Jason Segedy** the motion passed with one abstention.

- F Report from Assistant Director **Tubbs**
- G. Comments from Public **Chair Mavrides**
- H. Comments from Commission Members **Chair Mavrides**
- I. Other **Matz**
 - 1. Legal Update
- J. Adjournment **Chair Mavrides**

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George						
Corbett, Becky						
Feeman, Jerry	X			X		
Humphrys, Helen						
Kline, David	X			X		
Mavrides, Allen			X			
Segedy, Jason	X			X		
Snell, Jeff	X	X		X		
Stoiber, Dennis	X			X		
Terry, Robert	X			X		
Walters, Liz						

Motion

Jason Segedy made a motion to adjourn the meeting, and it was seconded by *David Kline* the motion passed with no abstentions.



Planning Commission
 Preliminary Plan
Meadows of Wintergreen
 Springfield Township

EXECUTIVE SUMMARY

Located in Springfield Township at the intersection of Sanitarium and Portage Line Rd. The applicant is proposing 70 lots on 24.9951 acres. Open Space and Stormwater Management area within Block A, 1.9582 acres. Proposing four (4) new 50’ ROW roads, with five (5) cul-de-sacs.

Sewage serviced by Summit County Dept. of Sanitary Sewer Services and Village of Lakemore Water.

Staff recommends: **Conditional Approval**

Item No.:	1	Area:	24.9951
Meeting:	February 24, 2022	Lots:	70
Developer:	Lockhart Development Co.	Streets:	50’ R/W
Engineer:	CIVPRO Engineering	Utilities:	County of Summit Sewer, Village of Lakemore Water
Parcel No.:	5110193	Council District:	District 8
Zoning:	Residential PRD	Processor:	Stephen Knittel

Location: The site is located in Springfield Township, at the intersection of Sanitarium and Portage Line Rd.

Site History:

- **Concept Plan Phase 3:** November 2, 2021

Proposal: The applicant is proposing 70 lots on 24.9951 acres. Open Space and Stormwater Management area within Block A, 1.9582 acres. Proposing four (4) new 50’ ROW roads, with five (5) cul-de-sacs.

Sewage serviced by Summit County Dept. of Sanitary Sewer Services and Village of Lakemore Water.

Site Conditions: GIS environmental Mapping shows no environmental issues on the parcel.

Township Zoning:

Zoning: The Zoning of the site is RPD (Residential)			
Direction	Zoning	Land Use	Municipality
North	R-2	Residential	Springfield Township
East	R	Residential	Portage County
South	R-1	Residential	Springfield Township
West	R-1	Residential	Springfield Township

Agency Comments: *Italicized text* indicates quotations from submitted agency comments. Applicable comments from previous Preliminary Plan reviews are included and indicated.

Springfield Township: Allen Swift, 2/7/2022: [The Township wants] *access to the Bog Area via an easement thru Phase III.*

County of Summit Engineer: Andy Dunchuck, 02/16/2022: *Our office has reviewed the attached Preliminary Plan and has the following comments. If you have any questions regarding this matter, please contact our office.*

Review Comments

1. *All Stormwater Management for the site must follow the SCE Stormwater Drainage Manual, Current Edition (Revised 1/1/20). The proposed SWM Basin must have an adequate outlet.*
2. *An additional 10' of R/W or permanent Highway Easement along the frontage of Sanitarium Road and Portage Line Road shall be dedicated to Summit County.*
3. *The minimum pavement width for the streets with access onto Sanitarium Road and Portage Line Road must be 26'. The streets with a proposed cul-de-sac will be permitted to be a minimum width of 24'.*
4. *Subdivision Regulation 1108.07 (f) requires street intersections have a minimum separation distance of 300'. The separation distance for the Street that runs West from Portage Line Road to the 1st intersection is 252'. All other street intersections within the proposed development comply with this requirement.*
5. *A 100-Year Overland Flow Path within a SWM Easement across the site to the SWM Facility will be required.*
6. *The minimum R/W/ Pavement radius for a proposed cul-de-sac without a center island is 60' and 45', respectively and 65' and 50', respectively with a center island.*

7. *All Catch/Inlet Basins, Storm Manholes, Headwalls, Monument Boxes, Curb and Gutter, etc... utilized on this project must follow Current ODOT Standard Construction Drawings.*
8. *The Intersection Sight Distance must be verified for the Design Speed (5-mph over the posted speed). Please use 45-mph for Sanitarium Road and 50-mph for Portage Line Road.*
9. *The Stopping Sight Distances must be verified on Sanitarium Road and Portage Line Road for the proposed access points. Please use a design speed of 45-mph for Sanitarium Road and 50-mph for Portage Line Road.*
10. *The Traffic Impact Questionnaire requires a Traffic Impact Assessment be completed for this project since the projected Daily Trips of 730 is within 500 - 749 trips on a typical weekday.*

Summit Soil and Water Conservation District: Julie Berbari, 02/10/2022:

The Summit Soil and Water Conservation District reviewed the preliminary plan for The Meadows of Wintergreen Phase 4 with the following comments & information:

Soils: The Summit County Soil Survey identifies several soil types on this proposed development area including: Chili silt loam (CnB) Chili Gravelly loam (CoC2), Wheeling silt loam (WrB) & Fitchville silt loam (FcA). Slopes range from 0-12% throughout the site.

Riparian Setbacks: Riparian setbacks were not identified on this site.

Wetlands: Potential wetlands have been identified on the 25 acre site. A wetland delineation will be required and a JD Letter from the Army Corps of Engineers. Any proposed impacts to wetlands must have the approval of the U.S. Army Corps of Engineers and the Ohio EPA in the form of permits from these agencies. A copy of any permits and any associated mitigation requirements must be forwarded to this office prior to plan approval.

Storm Water Pollution Prevention Plan and Post Construction Requirements: A Storm Water Pollution Prevention Plan (SWPPP) must be developed for this site and submitted to this office for approval. A post construction storm water quality practice must be designed per the OEPA NPDES Permit. All stormwater flow exiting this site must be treated by a structural post- construction water quality practice. The developer and consultant should refer to the Ohio EPA Phase II Construction General Permit, the Ohio Rainwater & Land Development Manual and Summit County Erosion/ Sediment Control, Post Construction Storm Water Quality - Chapter 941 for guidance. A Long-Term Maintenance Agreement between the County and Homeowner's Association will be required for the post construction practices.

The Summit County Engineers Office will review and approve storm water management for this site. Please reference the Summit County Comprehensive Storm Water Management - Chapter 943 and the Summit County Stormwater Drainage Manual for guidance.

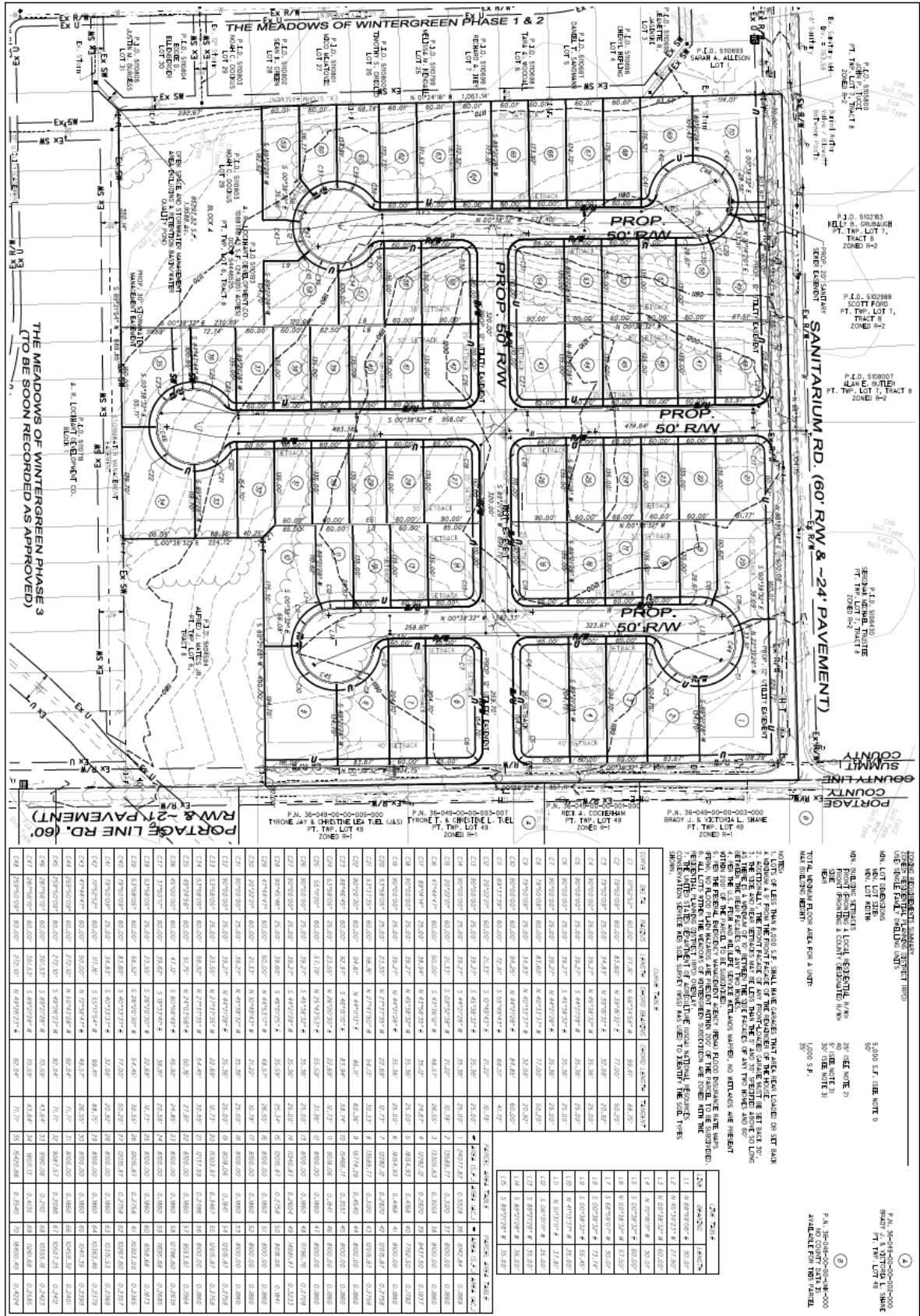
The Ohio Environmental Protection Agency requires the Owner/Operator of any site where more than one acre will be disturbed to file a Notice of Intent and obtain an NPDES Permit. For a multi-phase construction project, a separate NOI shall be submitted when a separate SWP3 will be prepared for subsequent phases.

Staff Comments:

1. Proposed roadways need names.
2. Subdivision Regulation 1108.07(f) “Roads intersecting another road from opposite sides shall be at least three hundred (300) feet apart, measured between centerlines. – there is a road length were this is not met. The road needs to be moved or a variance for this needs to be submitted to the Summit County Planning Commission.

Recommendation: It is Staff’s recommendation that the SCPC **Conditionally Approve** the Preliminary Plan, with the conditions of satisfying the comments of the Summit County Engineer’s Office, Summit Soil and Water Conservation District and Planning Staff.

Meadows of Wintergreen Phase 4 Preliminary Plan



CIVPRO ENGINEERING
1000 S. 10th St., Suite 100
Summit, NJ 07981
Tel: 908-261-1000

The Meadows of Wintergreen Phase 4 Preliminary Plan

Preliminary Plan
Summit Township
Summit County, NJ

REVISIONS:

NO.	DATE	DESCRIPTION
1	01/20/22	ISSUED FOR PERMITTING

Scale: 1" = 50'

The Meadows of Wintergreen Phase 4 Preliminary Plan

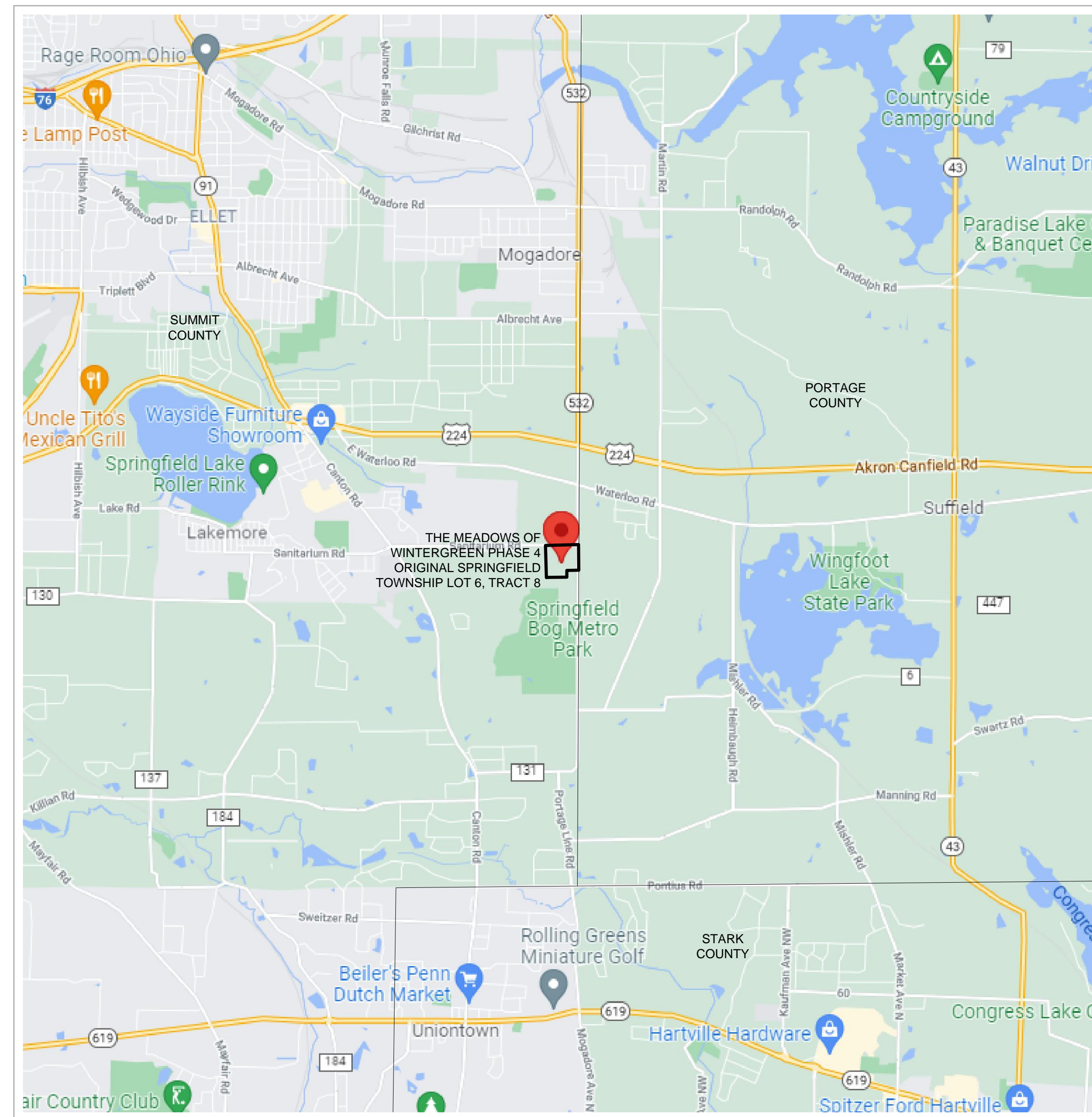
KNOWN AS BEING BLOCK C IN THE MEADOWS OF WINTERGREEN, PHASE I, AS RECORDED IN RECEPTION NO. 55424117, SUMMIT COUNTY RECORDS OF PLATS AND AS BEING PART OF ORIGINAL TOWNSHIP LOT 6, TRACT 8. LOCATED IN SPRINGFIELD TOWNSHIP, SUMMIT COUNTY, OHIO.

PROPOSED UTILITY SERVICES AND PROVIDERS

WATER SERVICE BY THE VILLAGE OF LAKEMORE
 SANITARY SEWER SERVICE BY THE SUMMIT COUNTY DEPT. OF SANITARY SEWER SERVICES (DSSS)

CONVENTIONAL SIGNS

- RIGHT OF WAY ••• EXISTING: , PROPOSED:
- MAJOR CONTOUR ••• EXISTING: , PROPOSED:
- MINOR CONTOUR ••• EXISTING: , PROPOSED:
- CORPORATION LINE ••• EXISTING: , PROPOSED:
- FENCE LINE ••• EXISTING: , PROPOSED:
- GUARDRAIL ••• EXISTING: , PROPOSED:
- MANHOLES ••• EXISTING: , PROPOSED: , REHABILITATED:
- CATCH BASINS •• EXISTING: , PROPOSED: , REHABILITATED:
- SIGNS ••••• 1-POST: , 2-POST: , 3-POST: , STREET:
- EXISTING POLES ••• POWER: , TELEPHONE: , LIGHT: , SPAN:
- PROPOSED POLES ••• POWER: , TELEPHONE: , LIGHT: , SPAN:
- EXIST. UTILITIES ••• VALVE: , HYDRANT: , METERS: , GUY:



LEGEND

	DRILL HOLE FOUND		DRILL HOLE SET
	RAIL ROAD SPIKE FOUND		RAIL ROAD SPIKE SET
	MONUMENT FOUND IN BOX		MONUMENT BOX WITH IRON PIN SET
	P.K. NAIL/MAG NAIL FOUND		P.K.S. P.K. NAIL/MAG NAIL SET
	IRON PIN FOUND		IRON PIN SET

ALL IRON PINS SET ARE 5/8" IN DIAMETER AND 30" IN LENGTH.
 ALL IRON PINS SET ARE CAPPED "CIVPRO PS 8488."

CENTERLINE	_____
PROPERTY LINE	_____
EXISTING ADJOINERS PROPERTY LINE	_____
EXISTING RIGHT-OF-WAY LINE	Ex R/W _____
PROPOSED RIGHT-OF-WAY LINE	R/W _____
FENCE	X X X X X X X X X X

REC. RECEPTION RECORD ()	Ac. SQ. FT. ACRES
MEAS. MEASURED	SQ. FT. SQUARE FEET
No. NUMBER	VOL. VOLUME
S/L. SUBLIST	Pg. PAGE
DE. DEED	Stm. STORM
Calc. CALCULATED	San. SANITARY
Obs. OBSERVED	N. NORTH
Co. COMPANY	S. SOUTH
Easmt. EASEMENT	E. EAST
Bldg. BUILDING	W. WEST
L. IRON PERMANENT PARCEL NUMBER	Fd. FOUND
P.P.N. P.P.O.B.	P.O.B. PLACE OF BEGINNING
RCP. REINFORCED CONCRETE PIPE	P.P.O.B. PRINCIPAL PLACE OF BEGINNING
ENCR. ENCROACHES	C.L.F. CHAIN-LINK FENCE CONNECTION
CLR. CLEARS	Adj. ADJACENT COUNTY
Ex. EXISTING	

SUBDIVISION DATA

AREA OUTSIDE OF EXISTING R/W EASEMENT:	23.6653 AC.
AREA IN EXISTING R/W EASEMENT:	1.3298 AC.
TOTAL AREA:	24.9951 AC.
AREA IN PROPOSED LOTS:	17.3968 AC.
AREA IN PROPOSED BLOCK A:	1.9582 AC.
AREA IN R/W TO BE DEDICATED:	5.6401 AC.
TOTAL AREA:	24.9951 AC.
TOTAL CENTERLINE LENGTH OF PROP. ROADS:	3,117 FT.
TOTAL NUMBER OF PROPOSED LOTS:	70
TOTAL NUMBER OF PROPOSED BLOCKS:	1

BASIS OF BEARING:
 THE BASIS OF BEARING IS OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3401) NAD 83 (1986) AND BEING THE CENTER LINE OF PORTAGE LINE ROAD S 00°38'32" E.

Keith A. Dylewski

KEITH A. DYLEWSKI, P.E., P.S.
 CIVPRO ENGINEERING, LLC



1/26/22
 DATE



PLAN PREPARED BY:
 CIVPRO ENGINEERING, LLC
 4450 Belden Village Street NW, Suite 800
 Canton, Ohio 44718
 (234) 410-3913

OWNER:
 Lockhart Development Company
 800 W Waterloo Rd
 Akron, Ohio 44314
 (330) 745-6520
 ATTN: Bob Lockhart

APPROVED BY THE SPRINGFIELD TOWNSHIP ZONING INSPECTOR THIS _____ DAY OF _____ 20____.

SPRINGFIELD TOWNSHIP
 ZONING INSPECTOR

HORIZONTAL SCALE IN FEET
 0 1500 3000

CHECKED BY: KAD
 DATE: Jan. 2022
 DRAWN BY: BMH
 DATE: Jan. 2022

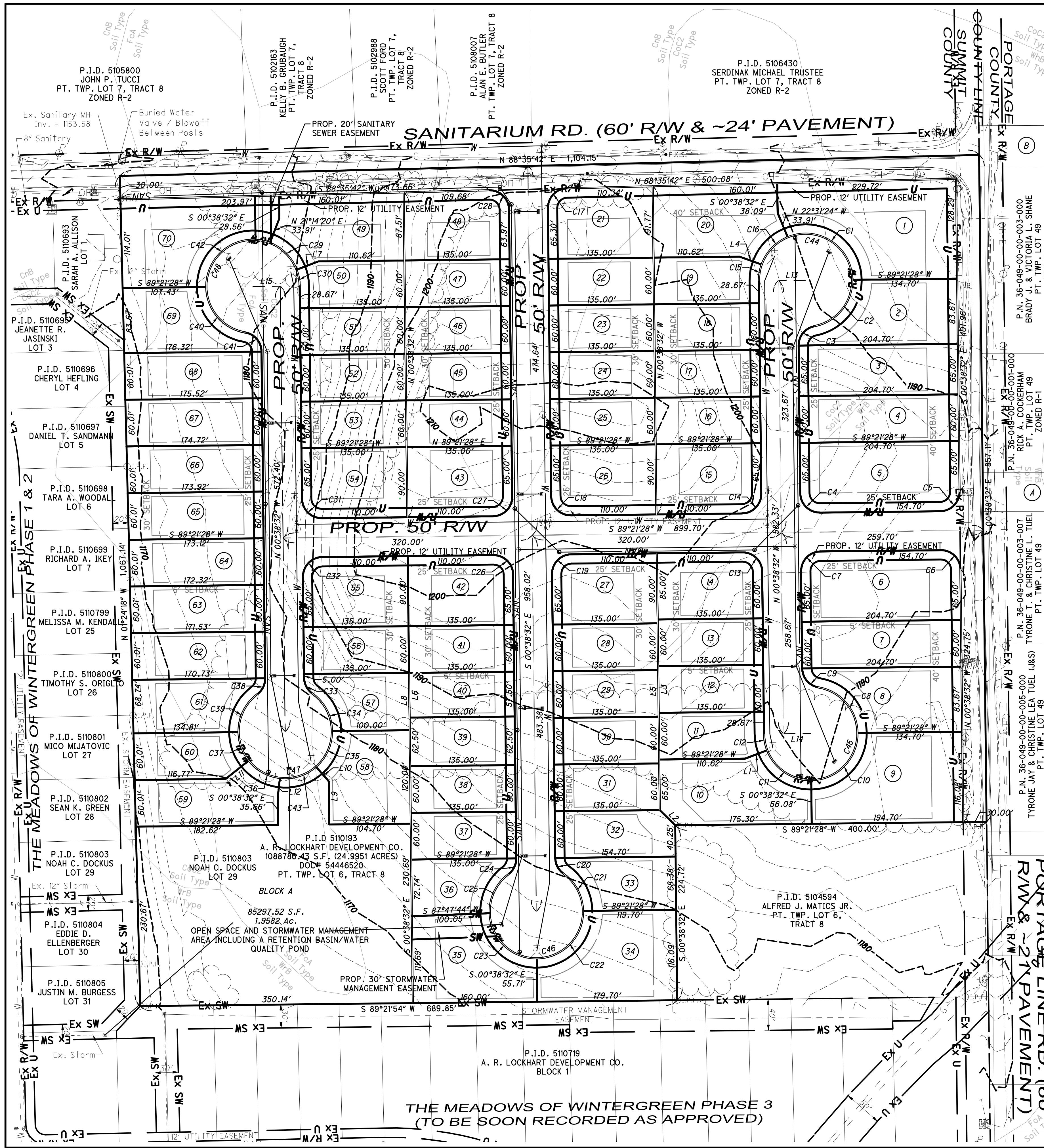
REVISIONS:	DATE	DESCRIPTION

The Meadows of Wintergreen Phase 4 Preliminary Plan
 Title Sheet
 Springfield Township
 Summit County, Ohio

ENGINEERS-SURVEYORS-CONSTRUCTION MANAGERS
 4450 BELDEN VILLAGE STREET NW, SUITE 800 CANTON, OH 44718
 PHONE (234) 410-3913 EMAIL: KAD@CIVPROENGINEERING.COM
 WWW.CIVPROENGINEERING.COM

DRAWING NAME:
 Wintergreen 4 Preliminary Plan.dwg

REF NUMBER:
 1 / 2



ZONING REQUIREMENTS SUMMARY
 ZONED: RESIDENTIAL PLANNING DISTRICT (RPD)
 USE: SINGLE FAMILY DWELLING UNITS

MIN. LOT DIMENSIONS
 MIN. LOT SIZE: 5,000 S.F. (SEE NOTE 1)
 MIN. LOT WIDTH: 50'

MIN. BUILDING SETBACKS
 FRONT (FRONTING A LOCAL RESIDENTIAL R/W): 25' (SEE NOTE 2)
 FRONT (FRONTING A COUNTY DESIGNATED R/W): 40'
 SIDE: 5' (SEE NOTE 3)
 REAR: 30' (SEE NOTE 3)

TOTAL MINIMUM FLOOR AREA FOR A UNIT: 1,000 S.F.
MAX BUILDING HEIGHT: 35'

NOTES:
 1. LOTS OF LESS THAN 8,000 S.F. SHALL HAVE GARAGES THAT AREA REAR LOADED OR SET BACK A MINIMUM 5' FROM THE FRONT FACADE OF THE REMAINDER OF THE HOUSE.
 2. ADDITIONALLY, THE FRONT FACADE OF ANY FRONT-LOADED GARAGE MUST BE SET BACK 30'.
 3. THE SIDE AND REAR SETBACKS MAY BE LESS THAN THE 5' AND 30' SPECIFIED ABOVE SO LONG AS THERE IS A MINIMUM OF 10' BETWEEN THE SIDE FACADES OF ANY TWO HOMES AND 60' BETWEEN THE REAR FACADES OF ANY TWO HOMES.
 4. PER THE U.S. FISH AND WILDLIFE SERVICE WETLANDS MAPPER, NO WETLANDS ARE PRESENT WITHIN 200' OF THE PARCEL TO BE SUBDIVIDED.
 5. PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM), NO FLOOD PLAIN HAZARDS ARE PRESENT WITHIN 200' OF THE PARCEL TO BE SUBDIVIDED.
 6. ALL LOTS WITHIN THE MEADOWS OF WINTERGREEN SUBDIVISION ARE ZONED WITH THE RESIDENTIAL PLANNING DISTRICT (RPD) OVERLAY.
 7. THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) NATIONAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY (WSS) WAS USED TO IDENTIFY THE SOIL TYPES SHOWN.

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	TANGENT
C1	111°52'52"	60.00'	117.16'	N 56°34'58" W	99.41'	88.75'
C2	79°50'09"	60.00'	83.60'	N 39°16'32" E	77.00'	50.20'
C3	79°50'09"	25.00'	34.83'	N 39°16'32" E	32.08'	20.92'
C4	90°00'00"	25.00'	39.27'	N 45°38'32" W	35.36'	25.00'
C5	90°00'00"	25.00'	39.27'	S 44°21'28" W	35.36'	25.00'
C6	90°00'00"	25.00'	39.27'	S 45°38'32" E	35.36'	25.00'
C7	90°00'00"	25.00'	39.27'	N 44°21'28" E	35.36'	25.00'
C8	79°50'09"	60.00'	83.60'	N 40°33'37" W	77.00'	50.20'
C9	79°50'09"	25.00'	34.83'	N 40°33'37" W	32.08'	20.92'
C10	90°00'00"	60.00'	94.25'	N 44°21'28" E	84.85'	60.00'
C11	69°37'39"	60.00'	72.91'	S 55°49'43" E	68.51'	41.72'
C12	20°22'21"	60.00'	21.33'	S 10°49'43" E	21.22'	10.78'
C13	90°00'00"	25.00'	39.27'	S 45°38'32" E	35.36'	25.00'
C14	90°00'00"	25.00'	39.27'	S 44°21'28" W	35.36'	25.00'
C15	20°22'21"	60.00'	21.33'	S 09°32'38" W	21.22'	10.78'
C16	47°44'47"	60.00'	50.00'	S 43°36'12" W	48.57'	26.55'
C17	89°14'14"	25.00'	38.94'	N 43°58'35" E	35.12'	24.67'
C18	90°00'00"	25.00'	39.27'	N 45°38'32" W	35.36'	25.00'
C19	90°00'00"	25.00'	39.27'	N 44°21'28" E	35.36'	25.00'
C20	53°58'05"	25.00'	23.55'	N 27°37'35" W	22.69'	12.73'
C21	53°37'35"	60.00'	56.16'	N 27°47'50" W	54.13'	30.33'
C22	90°20'30"	60.00'	94.61'	N 44°11'13" E	85.11'	60.36'
C23	88°46'45"	60.00'	92.97'	S 46°15'10" E	83.94'	58.74'
C24	53°58'05"	25.00'	23.55'	N 26°20'30" E	22.69'	12.73'
C25	55°11'20"	60.00'	57.79'	N 25°43'53" E	55.59'	31.36'
C26	90°00'00"	25.00'	39.27'	S 45°38'32" E	35.36'	25.00'
C27	90°00'00"	25.00'	39.27'	S 44°21'28" W	35.36'	25.00'
C28	90°45'46"	25.00'	39.60'	S 46°01'25" E	35.59'	25.34'
C29	47°44'47"	60.00'	50.00'	N 44°53'17" W	48.57'	26.55'
C30	20°22'21"	60.00'	21.33'	N 10°49'43" W	21.22'	10.78'
C31	90°00'00"	25.00'	39.27'	N 45°38'32" W	35.36'	25.00'
C32	90°00'00"	25.00'	39.27'	N 44°21'28" E	35.36'	25.00'
C33	53°58'05"	25.00'	23.55'	N 27°37'35" W	22.69'	12.73'
C34	53°58'05"	60.00'	56.52'	N 27°37'35" W	54.45'	30.55'
C35	49°24'56"	60.00'	51.75'	N 24°03'56" E	50.16'	27.61'
C36	45°00'00"	60.00'	47.12'	S 60°58'49" E	45.92'	24.85'
C37	37°50'17"	60.00'	39.62'	S 19°33'41" E	38.91'	20.56'
C38	53°58'05"	25.00'	23.55'	S 26°20'30" W	22.69'	12.73'
C39	53°58'05"	60.00'	56.52'	S 26°20'30" W	54.45'	30.55'
C40	79°50'09"	60.00'	83.60'	S 40°33'37" E	77.00'	50.20'
C41	79°50'09"	25.00'	34.83'	S 40°33'37" E	32.08'	20.92'
C42	111°52'52"	60.00'	117.16'	S 55°17'54" W	99.41'	88.75'
C43	47°44'47"	60.00'	50.00'	N 72°38'47" E	48.57'	26.55'
C44	259°50'09"	60.00'	272.10'	N 50°43'28" W	92.04'	71.71'
C45	259°50'09"	60.00'	272.10'	S 49°26'23" W	92.04'	71.71'
C46	287°56'10"	60.00'	301.53'	S 89°21'28" W	70.59'	43.64'
C47	287°56'10"	60.00'	301.53'	S 89°21'28" W	70.59'	43.64'
C48	259°50'09"	60.00'	272.10'	N 49°26'23" E	92.04'	71.71'

LINE TABLE

LINE	BEARING	LENGTH
L1	N 68°59'06" E	30.01'
L2	N 45°34'23" W	27.90'
L3	N 00°38'32" W	60.00'
L4	N 70°16'11" W	30.01'
L5	S 00°38'32" E	60.00'
L6	N 00°38'32" W	57.50'
L7	S 68°59'07" W	30.01'
L8	S 00°38'32" E	73.74'
L9	S 00°38'32" E	55.45'
L10	N 41°31'37" W	25.00'
L11	N 51°31'11" E	37.81'
L12	S 06°31'11" W	25.00'
L13	S 89°21'28" W	35.00'
L14	S 89°21'28" W	35.00'
L15	S 89°21'28" W	35.00'

PARCEL AREA TABLE

#	AREA (S.F.)		AREA (AC.)		
	AREA (S.F.)	AREA (AC.)	AREA (S.F.)	AREA (AC.)	
1	24077.82	0.5528	36	842.84	0.1869
2	13589.77	0.3120	37	8100.00	0.1860
3	13305.62	0.3055	38	8100.00	0.1860
4	12282.12	0.2820	39	8437.50	0.1937
5	18154.93	0.4168	40	7762.50	0.1782
6	18154.93	0.4168	41	8100.00	0.1860
7	12282.12	0.2820	42	12015.87	0.2758
8	13589.77	0.3120	43	12015.87	0.2758
9	19774.29	0.4540	44	8100.00	0.1860
10	15466.17	0.3551	45	8100.00	0.1860
11	8018.06	0.1841	46	8100.00	0.1860
12	8100.00	0.1860	47	8100.00	0.1860
13	8100.00	0.1860	48	11796.76	0.2708
14	11340.87	0.2604	49	14081.47	0.3233
15	12015.87	0.2758	50	8018.06	0.1841
16	8100.00	0.1860	51	8100.00	0.1860
17	8100.00	0.1860	52	8100.00	0.1860
18	8100.00	0.1860	53	8100.00	0.1860
19	8018.06	0.1841	54	12015.87	0.2758
20	15103.97	0.3467	55	12015.87	0.2758
21	12137.59	0.2786	56	8100.00	0.1860
22	8100.00	0.1860	57	8553.61	0.1964
23	8100.00	0.1860	58	12796.60	0.2938
24	8100.00	0.1860	59	11695.68	0.2685
25	8100.00	0.1860	60	8158.68	0.1873
26	12015.87	0.2758	61	10303.00	0.2365
27	12015.87	0.2758	62	10267.60	0.2357
28	8100.00	0.1860	63	10315.53	0.2368
29	8100.00	0.1860	64	10363.46	0.2379
30	8100.00	0.1860	65	10411.39	0.2390
31	8100.00	0.1860	66	10459.32	0.2401
32	9087.57	0.2086	67	10507.25	0.2412
33	9190.08	0.2110	68	10555.18	0.2423
34	18011.13	0.4135	69	11261.68	0.2585
35	15420.66	0.3540	70	18400.40	0.4224

P.N. 36-049-00-00-002-000
BRADY J. & VICTORIA L. SHANE
PT. TWP. LOT 49

P.N. 36-048-00-00-UNK-000
NO COUNTY DATA IS
AVAILABLE FOR THIS PARCEL

SCALE

HORIZONTAL SCALE IN FEET

CHECKED BY: KAD
 DATE: Jan. 2022
 DRAWN BY: BMH
 DATE: Jan. 2022

REVISIONS:

DATE	DESCRIPTION

The Meadows of Wintergreen Phase 4 Preliminary Plan

Preliminary Plan
 Springfield Township
 Summit County, Ohio

CIVPRO
 ENGINEERING

ENGINEERS-SURVEYORS-CONSTRUCTION MANAGERS
 4450 BELDEN VILLAGE STREET, NW, SUITE 800 CANTON, OH 44705
 PHONE: (234) 410-3913 EMAIL: KAD@CIVPROENGINEERING.COM
 WWW.CIVPROENGINEERING.COM

DRAWING NAME: Wintergreen 4 Preliminary Plan.dwg
 REF NUMBER: 2 / 2



Planning Commission
 Replat
Harts Landing
 Springfield Township

EXECUTIVE SUMMARY

Located in Springfield Township south of E Waterloo Rd and West of Springfield Lake at the terminus of Beach Drive extension. To create lot 4 and Block B (future development) from Block A (future development). Creation of a new lot in a platted subdivision requires SCPC approval.

Staff recommends **APPROVAL**.

Item No.: 2	Lots: 2
Meeting: February 24, 2022	Streets:
Developer: Richard’s Fence	Utilities: DOES & Well Water
Parcel No.: 5110994	Council District: District 8,
Zoning: R-2	Processor: Stephen Knittel
Area: 1.8673 acres	

Site History:

- There was a Concept Plan Meeting held on March 11, 2014.
- The Springfield Township Zoning Inspector signed the Preliminary Plan on March 19, 2015
- There was a site visit that occurred on April 1, 2015.
- Preliminary Plan Neighbor Notifications were sent to adjacent property owners on April 6, 2015.
- The Preliminary Plan was conditionally approved by the SCPC on April 23, 2015.
- Final Plat approved by SCPC on October 22, 2015.

Proposal: To create lot 4 and Block B (future development) from Block A (future development). Creation of a new lot in a platted subdivision requires SCPC approval.

Township Zoning: This plan is within the R-2 Zoning District.

Agency Comments: *Italicized text indicates quotations from submitted agency comments.*

Springfield Township Zoning: Allan Swift, 02/07/2022: No issues with the replat.

SCE: Andy Dunchuck 02/14/2022: *Our office has reviewed the attached Replat and the plat is acceptable as submitted. If you have any questions regarding this matter, please contact our office.*

SSWCD: Julie Berbari 02/09/2022: *The Summit Soil & Water Conservation District has no objection to the above replat, proposing a replat of Block A (1.8673 ac) to create Lot 4 (.6102 ac) and Block B (1.2571 ac). Please note that this split will be considered part of a larger common plan of development (or sale) and*

each lot will be subject to the requirements in the Summit County Erosion/ Sediment Control, Post Construction Storm Water Quality Ordinance- Chapter 941.

Staff Comments:

Recommendation: It is Staff's recommendation that Replat of Hart's Landing be **Approved**.

Base of Bearings based on bearings and distances from the Plat of Harts Landing Subdivision recorded in Document Number 56298977 of the Summit County Records.

DRAINAGE MAINTENANCE ASSESSMENT: ALL FEE HOLDERS AND ALL RECORDS TO THE FEE THROUGH THEM ARE SUBJECT TO PAYMENT OF DRAINAGE MAINTENANCE FEES ACCESSED OR TO BE ACCESSED TO THE COUNTY PARCEL MAP TO OHIO REVISED CODE 6137 AND FOLLOWING.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND SHOWN ON THIS PLAT, THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND THE ALLOTMENT THEREOF, AND THAT I HAVE SHOWN ON THIS PLAT THE MONUMENTS AS SHOWN ON THIS PLAT.

JEFFREY A. GORDON, S. 8270 DATE: **12-21-21**
 1730 WHEEL DRIVE
 NONOHLEW, OHIO 44067
 330-388-8146
 cadburv@gsnail.com

OWNER(S) CONSENT

We, the undersigned owners and holders of liens and other interests in and to the land shown on this plat do hereby declare this plat to be our free act and deed.

OWNER(S)
 Richard Peterson, Trustee of the Richard Peterson Trust

WITNESSES

STATE OF OHIO
 COUNTY OF _____

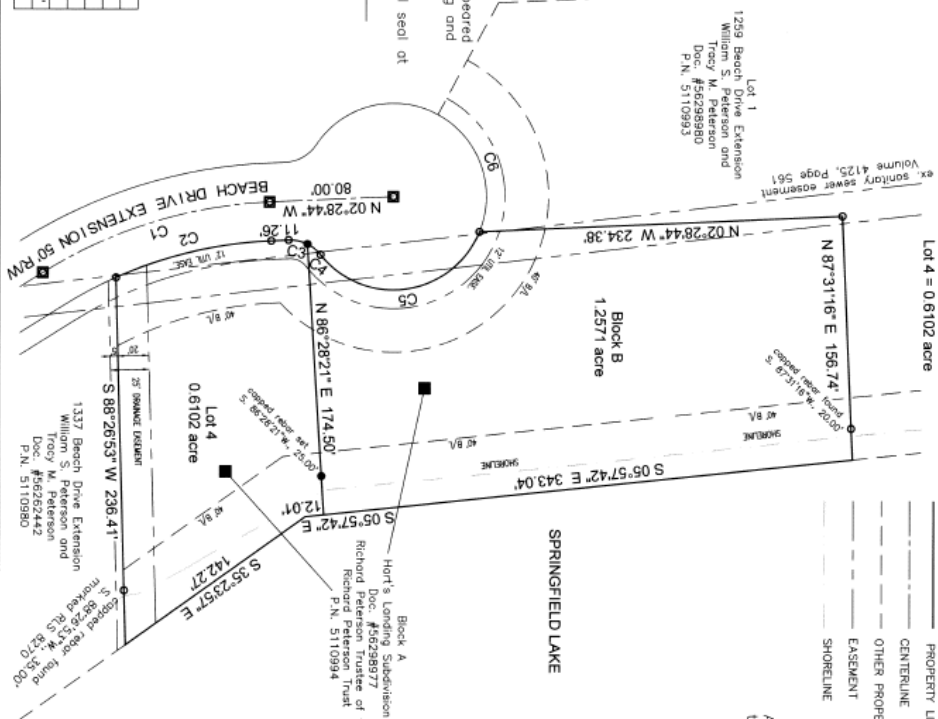
Before me, a Notary Public in and for said county, personally appeared before me the above named owners, who acknowledged the making and signing the foregoing instrument to be their free act and deed.

In testimony of whereof, I have hereunto set my hand and official seal at _____ Ohio, this _____ day of _____, 20__.

Notary Public _____

My commission expires _____

CURVE	RAO	ARC	CH. BRG.	CHORD	DELTA	TAN
C1	300.00'	154.76'	N 17°15'26" W	153.05'	29°33'22"	79.14'
C2	275.00'	103.50'	N 13°15'40" W	102.89'	21°33'52"	52.37'
C3	25.00'	12.58'	N 11°56'28" E	12.45'	28°50'20"	6.43'
C4	25.00'	10.98'	S 38°45'28" E	10.88'	25°07'45"	5.57'
C5	60.00'	124.98'	S 08°10'58" E	103.58'	119°07'38"	102.56'
C6	60.00'	87.61'	N 70°18'55" E	90.03'	83°39'55"	53.70'



**HARTS LANDING SUBDIVISION
 REPLAT OF BLOCK A
 CREATING LOT 4 AND BLOCK B**

SITUATED IN SPRINGFIELD TOWNSHIP, SUMMIT COUNTY, OHIO
 AND KNOWN AS BEING ALL OF BLOCK A
 OF THE HART'S LANDING SUBDIVISION
 RECORDED IN DOCUMENT NUMBER 56298977
 OF THE SUMMIT COUNTY RECORDS
 DATE: DECEMBER 2021

SCALE: 1" = 50'

Total Area Block A = 1.9873 acre
 Block B = 1.2571 acre
 Lot 4 = 0.6102 acre

LEGEND:

- CAPPED REBAR SET
- CAP MARKED CORNER 8270
- CAP MARKED CORNER 8270
- CAP MARKED CORNER 8270
- REBAR IN MONUMENT BOX
- R/W RIGHT OF WAY
- PROPERTY LINE
- CENTERLINE
- OTHER PROPERTY LINE OR SETBACK
- EASEMENT
- SHORELINE



Approved by the Summit County Planning Commission
 this _____ day of _____, 20__.

Chair _____

Secretary _____

Approved by the County of Summit Council
 Ordinance _____ this _____ day of _____, 20__.

Council President _____ Clerk of Council _____

Approved by the Summit County Engineer
 this _____ day of _____, 20__.

Summit County Engineer _____

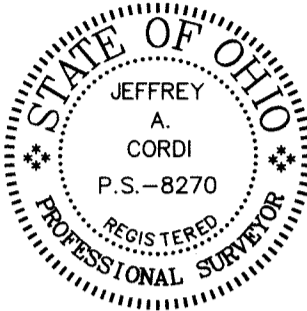
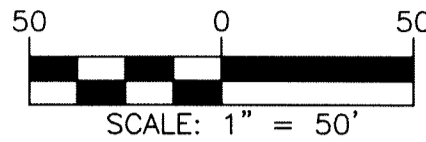
Approved by the Summit County Executive
 this _____ day of _____, 20__.

County Executive _____

Springfield Township Zoning Approval
 this _____ day of _____, 20__.

Springfield Township Zoning Inspector

Basis of Bearings:
Bearings are based on the Plat of Hart's Landing Subdivision recorded in Document Number 56298977 of the Summit County Records.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND SHOWN ON THIS PLAT, THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND THE ALLOTMENT THEREOF, AND THAT I HAVE FOUND OR SET THE PINS AND MONUMENTS AS SHOWN ON THIS PLAT

JEFFREY A. CORDI, P.S. 8270 DATE
170 HAZEL DRIVE
NORWELLS, OHIO 44067
330-388-8146
CordiSurvey@gmail.com

OWNER'S CONSENT

We, the undersigned owners and holders of liens and other interests in and to the land shown on this plat do hereby declare this plat to be our free act and deed.

OWNER(S)

WITNESSES

Richard Peterson, Trustee of the Richard Peterson Trust

STATE OF OHIO
COUNTY OF

Before me, a Notary Public in and for said county, personally appeared before me the afore named owners, who acknowledged the making and signing the foregoing instrument to be their free act and deed.

In testimony of whereof, I have hereunto set my hand and official seal at

_____ Ohio, this _____ day of _____, 20__

Notary Public

My commission expires _____

CURVE	RAD.	ARC	CH. BRG.	CHORD	DELTA	TAN.
C1	300.00'	154.76'	N 17°15'26" W	153.05'	29°33'22"	79.14'
C2	275.00'	103.50'	N 13°15'40" W	102.89'	21°33'52"	52.37'
C3	25.00'	12.58'	N 11°56'26" E	12.45'	28°50'20"	6.43'
C4	25.00'	10.96'	S 38°55'28" W	10.88'	25°07'45"	5.57'
C5	60.00'	124.98'	S 08°10'58" E	103.58'	119°20'38"	102.56'
C6	60.00'	87.61'	N 70°18'55" E	80.03'	83°39'35"	53.70'

HART'S LANDING SUBDIVISION REPLAT OF BLOCK A CREATING LOT 4 AND BLOCK B

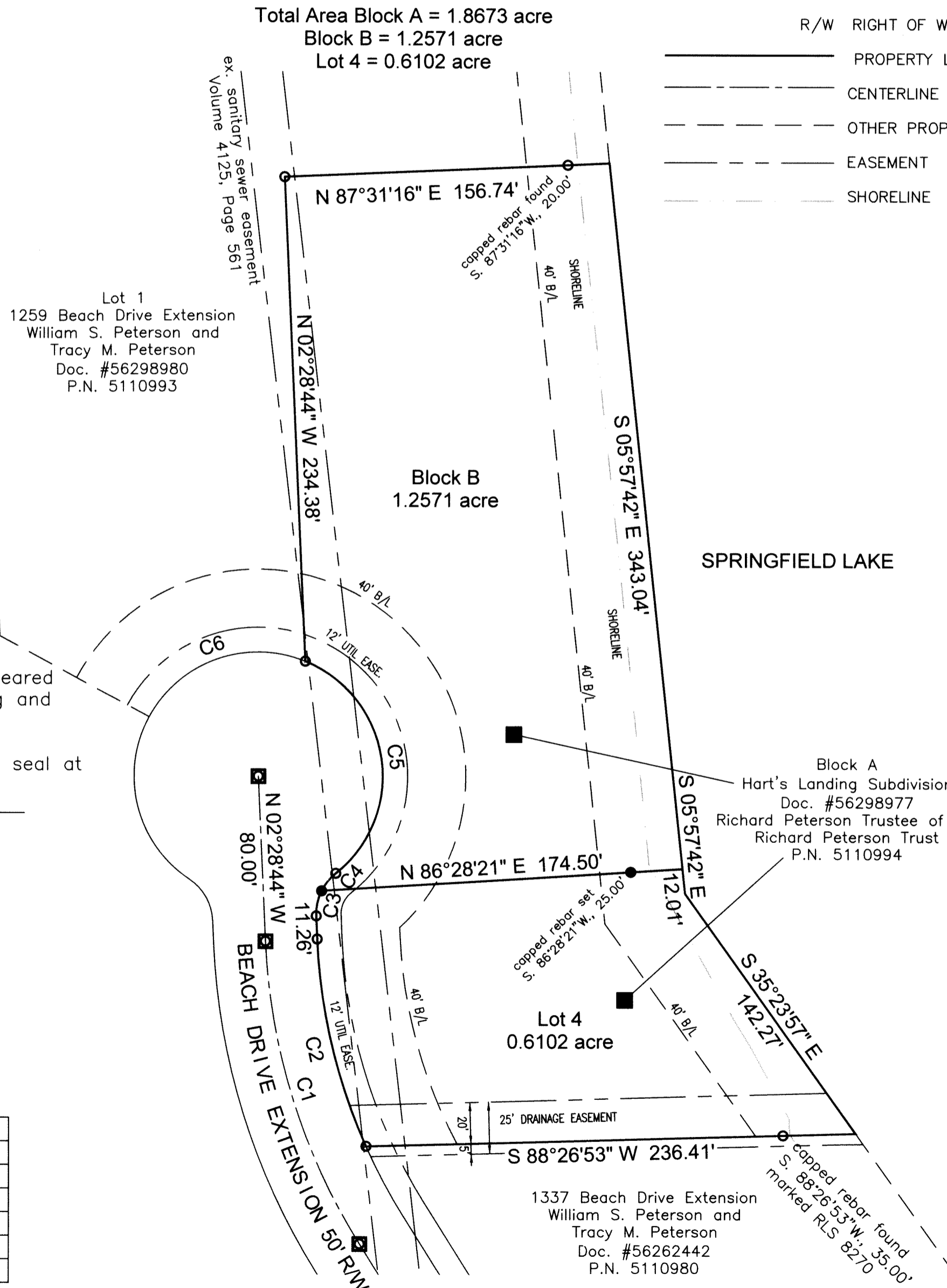
SITUATED IN SPRINGFIELD TOWNSHIP, SUMMIT COUNTY, OHIO
AND KNOWN AS BEING ALL OF BLOCK A
OF THE HART'S LANDING SUBDIVISION
RECORDED IN DOCUMENT NUMBER 56298977
OF THE SUMMIT COUNTY RECORDS

SCALE: 1" = 50'

DATE: DECEMBER 2021

Total Area Block A = 1.8673 acre
Block B = 1.2571 acre
Lot 4 = 0.6102 acre

Lot 1
1259 Beach Drive Extension
William S. Peterson and
Tracy M. Peterson
Doc. #56298980
P.N. 5110993



LEGEND:

- CAPPED REBAR SET 5/8" DIA., 30" LONG CAP MARKED CORDI 8270
- CAPPED REBAR FOUND CAP MARKED RLS 8270
- REBAR IN MONUMENT BOX

R/W RIGHT OF WAY

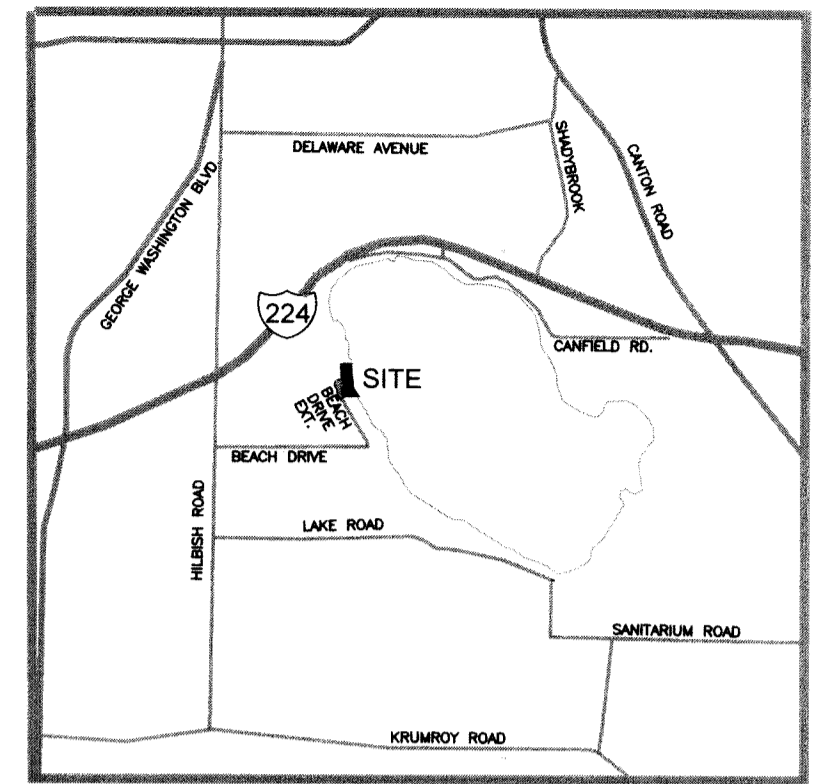
PROPERTY LINE

CENTERLINE

OTHER PROPERTY LINE OR SETBACK

EASEMENT

SHORELINE



VICINITY MAP
NO SCALE

Approved by the Summit County Planning Commission
this _____ day of _____, 20__.

Chair

Secretary

Approved by the County of Summit Council
Ordinance _____ this _____ day of _____, 20__.

Council President

Clerk of Council

Approved by the Summit County Engineer
this _____ day of _____, 20__.

Summit County Engineer

Approved by the Summit County Executive
this _____ day of _____, 20__.

County Executive

Springfield Township Zoning Approval
this _____ day of JANUARY, 2022.

Allan Swift
Springfield Township Zoning Inspector

1337 Beach Drive Extension
William S. Peterson and
Tracy M. Peterson
Doc. #56262442
P.N. 5110980

capped rebar found
marked RLS 8270
S 88°26'53" W 35.00'



Item No.: 3
Meeting: February 24, 2022
Applicant: Sagamore Hills Zoning Commission
Proposal: **Residential District**
Processor: Stephen Knittel

Proposal: The applicant has proposed that the Sagamore Hills Township Zoning Resolution revise Section 3 Residential District to amend setback language for residential structures.

Proposed Text Amendments:

Sagamore Hills Township

Section 3.0 Residential District

3.1 Purpose

The purpose of this district is to accommodate residential development that will promote the residential character of this zone.

3.2 Uses

Within this "R" Residential District, only the below stated uses are permitted. Any uses not referred to are prohibited.

A. Permitted Uses

1. **Single Family Dwelling** including home occupation.
2. **Agricultural Use** – Consistent with the requirements of the Ohio Revised Code Section 519.21, the Township regulates agricultural use in any area consisting of a platted subdivision under Section 711.05, Section 711.09, or Section 711.10 of the Ohio Revised Code, or an area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code 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 road, as follows:
 - a. Buildings or structures incidental to the use of the land for agricultural purposes on lots of one acre or less shall not be permitted except to the extent permitted in Section 2.1, 2.2 and 2.3 below.
 - b. Buildings or structures incidental to the use of the land for

agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres shall comply with all setback regulations set forth in the district in which the building or structure is located including setback building lines, height and size, except to the extent otherwise specified below in Section 2.1, 2.2 and 2.

- c. The keeping of animals in private stables on lots greater than one acre but less than five (5) acres, when at least 35% of the lots in a subdivision that is developed with at least one building, structure or improvement that is subject to real property taxation or that is subject to tax on manufactured and mobile home under Section 4503.06 of the Ohio Revised Code shall comply with the following regulations:
- 1) The area of a lot upon which such animals are kept shall not be less than two (2) acres.
 - 2) Whenever one (1) or more animals are kept outdoors on the lot, an accessory building for their shelter shall be constructed on the lot.
 - 3) The area of the accessory building intended to provide shelter for one or more animals shall not exceed 1% of the lot area.
 - 4) Such accessory buildings are to be in full compliance with requirements of the Zoning District.
 - 5) The height of the accessory building shall not exceed the lesser of height of the primary structure on the premises or 18 feet.

- 2.1 This Section confers no power on the Township Zoning Commission, Board of Township Trustees, or Board of Zoning Appeals to regulate agriculture and agricultural buildings and structures on lots greater than five (5) acres regardless of the district in which the lot is located.

This Section confers no power on the Township Zoning Commission, Board of Trustees, or Board of Zoning Appeals to regulate agricultural buildings and structure for use of any land for a farm market where 50% or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year except the following shall apply:

- a. each farm shall be permitted only one roadside stand or market located on the farm property;
- b. the area of the roadside stand shall not exceed 200 square feet;
- c. the maximum height of the roadside stand shall be no greater than 10 feet;
- d. the roadside stand shall be located a minimum of 30 feet from any side lot line or street right-of-way;
- e. signs advertising the roadside stand shall comply with the regulations set forth in this Resolution;
- f. adequate parking shall be provided in such a way as to not create a public safety hazard with no more than three (3) spaces;

the roadside stand shall be removed at the conclusion of the farm's seasonal sales and stored in an enclosed building or placed in the

rear yard.

- 2.2 This Section confers no power on the Township Zoning Commission, Board of Trustees, or Board of Zoning Appeals to regulate biodiesel production, biomass energy production, or electric or heat energy production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under O.R.C. 5713.30 to 5713.37 for real property tax purposes.
- 2.3 This Section confers no power on the Township Zoning Commission, Board of Trustees, or Board of Zoning Appeals to regulate biologically derived methane gas production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under O.R.C. Sections 5713.30 to 5713.37 for real property tax purposes and if the facility producing the biologically derived methane gas does not produce more than seventeen million sixty thousand seven hundred ten British thermal units, five megawatts, or both.
3. **Accessory Buildings and Structures** incidental to the principal use which do not include any activity conducted as business except that one temporary roadside stand offering for sale only agricultural products which are produced on the premises is permitted. Such stand shall not be erected closer than thirty (30) feet from the road right-of-way nor closer than thirty (30) feet from any lot line.
4. **Signs** as regulated by Section 15.0 hereof.
5. **Cluster Development.** The purpose of a Cluster Development is to permit Residential Development to take a more compact form in order to preserve and maintain existing open areas. The cluster development regulations are designed to fulfill the following objectives:
 - a. Preserve open space in amounts that are greater than that achievable with more conventional subdivision design in order to meet recreational, scenic and public service needs.
 - b. Reduce the lot area, yard and setback requirements of the base zoning district to permit the grouping or clustering of dwelling units.
 - c. Preserve significant natural features and generally undisturbed land.
 - d. Encourage the investment of savings realized from reduced infrastructure costs into the development of architectural features and/or site amenities that establish a residential community of sustained desirability.
- 5.1 A Cluster Development shall be subject to the following specific regulations:
 - a. Only single family detached dwellings shall be permitted.
 - b. Area regulations:

1. The minimum gross development area shall be fifteen (15) acres.
2. A minimum of forty (40%) percent of contiguous gross development area shall remain as undeveloped open space and shall be preserved in its undisturbed state.

5.2 The open space shall be subject to the following conditions:

- a. Land in streets, sidewalks, utility easements and right-of-ways, non-buildable areas (to include storm drainage right-of-ways and wetlands) and land used for recreational purposes shall not be included in open space to offset a reduction in lot area calculations.
- b. Use of open space shall be limited to conservation and similar purposes and left in perpetuation in an undisturbed state.
- c. A legal plan, contract, covenants and restrictions for the perpetuation, maintenance and function of all of the open space shall be established. The covenants and restrictions shall name the Township as a full beneficiary of all covenants and restrictions upon the open space and shall provide that no changes shall be permitted to the open space without unanimous consent and approval of the Township Trustees. The documents shall be reviewed and approved by the Township and recorded in the County Fiscal Office by the applicant prior to the time of transfer of the first property sold.

5.3 The Residential Cluster Development Plan must include a detailed plan, established by the owner or developer, for the conveyance of all open space land to one or more non-profit corporations, formed for the purpose of maintaining such open spaces for the use of the property owners thereof. Membership in such non-profit corporations must be open to all owners of property and residents within an area of the Residential Cluster Development District.

5.4 Overall density shall be one (1) dwelling unit per gross development acre. For example: on a 20 acre gross development area, 20 dwellings can be built on no more than twelve (12) acres of land.

5.5 ~~The only setbacks required shall be a building line at least thirty five (35) feet from any new street right of way line and one hundred (100) feet from any existing street right of way.~~ **Single-Family Detached Dwellings shall be at least thirty-five (35) feet from any new street right-of-way line and one hundred (100) feet from the centerline of any existing**

street right-of-way.

- 5.6 ~~A building shall be no closer than twenty (20) feet to another. No building shall be closer than ten (10) feet from the property line of the Cluster Development property line. There is no minimum lot size requirement. **A Single-Family Detached Dwelling shall be no closer than twenty (20) feet to another Single-Family Detached Dwelling. A Single-Family Detached Dwelling shall be no closer than fifty (50) feet from an existing non-cluster residentially zoned property. There is no minimum lot size requirement.**~~
- 5.7 The maximum height of a structure shall be thirty five (35) feet.
- 5.8 Streets shall be dedicated.
- 5.9 All Residential District regulations not superseded by those set out above shall also apply to cluster developments.
- 5.10 Signage for Cluster Zoning Developments:
- One (1) sign (double faced or winged) with a maximum size of twenty (20) square feet and a maximum height of five (5) feet above the finished grade, or two (2) signs, which are single faced with a maximum size of twenty (20) square feet and a maximum height of five (5) feet above the finished grade per sign face, shall be allowed at the entrance of a Cluster Zoning Development in a Residentially zoned area (excluding the P.U.D.), which has a minimum acreage of thirty (30) acres. All signs shall be located fifteen feet (15 ft.) from the established right-of-way.
- 5.11 Accessory Structures
- a. One (1) accessory structure not to exceed: (i) twelve (12) feet in height, and (ii) one and one-half percent (1.5%) of the area of the lot upon which the accessory structure is to be placed. In no case shall the aggregate area of the accessory structure exceed one-hundred ninety-five (195) square feet in area. (Amended Effective 1-6-21)
- b. The accessory structure shall be in the rear lot, be a minimum of (10) feet from the rear lot lines, a minimum of ten (10) feet from the side lot line, and confined completely within the sight line of the rear lot as defined by the front and rear corners of the widest section of the residence (see attached drawing). (Amended Effective 1-6-21)
- c. An accessory structure shall be constructed at the average grade at its location. However, an accessory structure that is a gazebo or pergola

shall be permitted to be constructed upon a deck or patio connected to the primary residential structure if the floor of such deck or patio does not exceed the level of the first floor of the primary residential structure. No sheds shall be constructed upon a deck or patio. (Amended Effective 1-6-21)

6. **Parking and loading regulated as follows:**

- a. Minimum of two (2) off-street parking spaces must be provided for each dwelling unit.

B. Conditionally Permitted Uses

The Board of Zoning Appeals shall have authority to make exceptions as specifically described below to grant conditional zoning certificates for the use of land, building or other structures as special exceptions to this Resolution, and will ensure that all requirements of conditional use are met before a conditional zoning certificate is issued.

1. **Public, private and parochial schools** subject to approval of site plans including location of buildings, parking areas, lighting, signs, sewer and water facilities and as follows:

- a. **Structures and activity areas** including loading and facilities (other than off-street parking) shall be located at least one hundred (100) feet from any property line and center line of any dedicated highway.
- b. **All points of ingress and egress** shall be located at least two hundred (200) feet from all major road intersections and at least one hundred (100) feet from all local or other minor street intersections. All state and county highways shall be considered major streets.
- c. **Lighting** shall not create a nuisance and shall in no way impair safe movement of traffic on any street or highway. No light shall shine directly on adjacent property. No strings of open light bulbs shall be permitted. No lighting structures shall exceed fifteen (15) feet in height. Exposed light bulbs except for those used in holiday decoration shall be prohibited.
- d. **All structures** shall be located so as to have access to a dedicated street.
- e. **Minimum lot size** shall comply with Ohio Revised Code and/or Standards of Dept. of Education, and/or a minimum of ten (10) contiguous acres.

2. **Churches and other buildings** for the purpose of religious worship and training, subject to approval of site plans and as follows:
 - a. **Structures and activity areas** including loading and facilities (other than off-street parking) shall be located at least one hundred (100) feet from any property line and center line of any dedicated highway.
 - b. **All points of ingress and egress** shall be located at least two hundred (200) feet from all major road intersections and at least one hundred (100) feet from all local or minor street intersections. All state and county highway shall be considered major streets.
 - c. **Lighting** shall not create a nuisance and shall in no way impair safe movement of traffic on any street or highway. No light shall shine directly on adjacent property. No strings of open light bulbs shall be permitted. No lighting structure shall exceed fifteen (15) feet in height. Exposed light bulbs except for those used in holiday decoration shall be prohibited.
 - d. **All structures** shall be located so as to have access to a dedicated street.
 - e. **Locations** should be adjacent to parks or other non-residential uses such as schools or shopping centers where use can be made of joint parking facilities.
 - f. **Minimum lots size** shall be ten (10) contiguous acres.
3. **Public utilities** right-of-way and pertinent structure subject to restrictions listed below:
 - a. **Structures and activity areas** including loading and facilities (other than off-street parking) shall be located at least one hundred (100) feet from any property line and the center line of any dedicated highway.
 - b. **Site locations** shall be preferred that offer natural or man-made barriers to lessen the effect of intrusion into a residential area.
4. **Governmentally** owned and operated parks and playgrounds including golf courses (except miniature) subject to approval of site plans and the following:
 - a. **Structures and activity areas** including loading and facilities other than off-street parking shall be located at least one hundred

(100) feet from any property line and the center line of any dedicated highway.

- b. **Loud speakers** which cause a hazard or annoyance shall be prohibited.
- c. **All points of ingress and egress** shall be located at least two hundred (200) feet from all major road intersections and at least one hundred (100) feet from all local or minor street intersections. All state and county highways shall be considered major streets.
- d. **Lighting** shall not create a nuisance and shall in no way impair safe movement of traffic on any street or highway. No light shall shine directly on adjacent property. No strings of open light bulbs shall be permitted. No lighting structure shall exceed fifteen (15) feet in height. Exposed light bulbs except for those used in holiday decoration shall be prohibited.

5. **Temporary buildings** for use incidental to construction work and as follows:

- a. **Any temporary structures** must be indicated on the site plan, and their use must be discontinued and removed at a time to be set by the Zoning Inspector. Under no circumstances shall any temporary building be used as a dwelling.

6. **Recreational** uses that are non-profit residentially owned and/or operated facilities or governmentally owned and/or operated facilities shall be limited to swimming pools, golf courses, tennis courts, horse riding trails and picnic pavilions. These facilities are subject to the restrictions listed below:

- a. **Loud speakers** which cause a hazard or annoyance shall be prohibited.
- b. **All points of ingress and egress** shall be located at least two hundred (200) feet from all major road intersections and at least one hundred (100) feet from all local or minor street intersections. All state and county highways shall be considered major streets.
- c. **Lighting** shall not create a nuisance and shall in no way impair the safe movement of traffic on any street or highway. No light shall shine directly on adjacent property. No strings of open light bulbs shall be permitted. No lighting structure shall exceed fifteen (15) feet in height. Exposed light bulbs except for those used in holiday decoration shall be prohibited.

- d. **Installations** shall be maintained in a neat, orderly condition so as to prevent injury to any single property, any individual or to the community in general.
 - e. **Structures and activity areas** - (other than off-street parking) shall be located at least two hundred (200) feet from any property line.
7. **Home occupations** - Such uses shall be permitted subject to the following conditions:
- a. Such uses shall be conducted entirely within the dwelling unit and no use of any accessory building shall be permitted.
 - b. Such use shall be clearly incidental and secondary to the use of the dwelling for living purposes.
 - c. Such use shall be conducted only by persons residing in the dwelling unit.
 - d. There shall be no externally visible display of stock and trade.
 - e. Commodities sold shall be only those which are produced on premises.
 - f. Use shall not occupy more than fifteen percent (15%) of the total living area of a dwelling unit, maximum not to exceed four hundred (400) square feet.
 - g. Such use shall not create a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electrical interference, vehicular traffic, or other causes.
 - h. Off-street parking and traffic visibility shall be provided.
8. **Professional offices** shall occupy no more than fifteen (15%) percent or four hundred (400) square feet of the total living area of a dwelling unit.
9. **Parking lots** - Any parking area containing more than five (5) vehicles in a residential district must receive approval from the Board of Zoning Appeals.
10. **Bed and Breakfasts** shall comply with the following requirements:
- a. A conditional use permit shall expire once the applicant ceases to occupy the premises. The Bed and Breakfast Inn shall be owner managed, the resident manager having at least 50% ownership

interest.

- b. Its operation shall take place within the principal structure.
- c. Its operation must conform within all the Health and Fire requirements of the O.R.C. Each guest room shall be provided with a smoke detector. Yearly inspections by the local Fire Department or Fire Prevention Officer shall be required.
- d. No more than one (1) such establishment shall be permitted within a four hundred (400) yard radius.
- e. Off street parking shall be provided at a minimum rate of one (1) per guest room and two (2) additional. Thus, for five (5) guest rooms, a total of seven (7) parking spaces shall be provided.
- f. Signs: As regulated by the Sign Regulations Section of this Resolution B (4) as applied to home occupations.
- g. The sale or display for sale of merchandise or other commodities is prohibited, except for agricultural products produced on the premises.
- h. Any infraction of the above shall result in the revocation of the permit to operate a Bed and Breakfast Inn.

11. An **Outdoor Recycling Collection Bin** for the explicit purpose of paper and/or cardboard collection for recycling is conditionally permitted at public, private, and parochial schools, churches or governmentally owned property, subject to the following conditions: (Amended Effective 6-9-15)

- a. Permit. The property owner where the bin is located shall annually file for a permit with the Zoning Inspector. No collection bin may be used for advertising. (Amended Effective 6-9-15)
- b. Placement. The bin may only be located at the side yard or rear yard of the residential property so as not to interfere with parking and must not be within any required lot setbacks. No bin shall be closer than 200 feet to a residence. Each bin shall be clearly visible and in a well-lighted area located so as not to interfere with pedestrian and/or vehicular circulation or to create a traffic hazard. (Amended Effective 6-9-15)
- c. Maintenance. The property owner shall be responsible for the maintenance of the bin and the surrounding area. Each bin shall be enclosed by use of receiving doors. Each bin shall be regularly emptied so as not to overflow. No storage or drop-off of donations external to the collection bin shall be permitted. The property owner must respond to maintenance complaints within 24 hours of receiving notice. If a bin is damaged or vandalized it shall be repaired or

replaced within five (5) days or else be removed from the property.
(Amended Effective 6-9-15)

- d. Collection bins for all recyclables can be used on property of the Township of Sagamore Hills at the discretion of the Township Trustees. (Amended Effective 6-9-15)

3.3 **Areas, yard and height regulations**

A. Center Line of the Road

The center line of the road right-of-way shall be the starting point for all residential land area measurements in Sagamore Hills Township except for cul-de-sacs.

1. **Cul-de-sac**

The starting point for all residential land area measurements on a cul-de-sac shall be one-half (1/2) of the circle.

B. Minimum Lot Area

One (1) acre (43,560 sq. ft.).

C. Minimum Lot Width at Building Line

One hundred (100) feet.

D. Minimum Lot Width at Street

One hundred (100) feet except sixty (60) feet on the cul-de-sac turn around and 130 ft. on corner lots.

E. Minimum Front Yard Depth

One hundred (100) feet from any dedicated highway center line.

If there is no established street right-of-way, said line shall be deemed to be one hundred (100) feet from the center of the road.

F. Corner Lots

Minimum setback to be fifty (50) feet from side street center line and one hundred (100) feet from main street center line.

G. Minimum Side Yard Width

No building or structure shall be erected or placed nearer than ten (10) feet to the side lot line.

H. Rear Yards

No main building or structure shall be erected or placed nearer than fifty (50) feet from the rear lot line, and no accessory building shall be erected or placed nearer than ten (10) feet to any rear lot line.

I. Maximum Height of Structures

Thirty-five (35) feet.

J. Front Yard

No building shall be erected between the front line of the main building and the roadway.

K. Driveway

Each private dwelling shall be served by a private driveway from the public right of way to the main building. The entire driveway shall be maintained wholly within the front yard width. A private driveway may serve only one single family dwelling.

3.4 Size of Dwelling

A. Single Floor

Each family dwelling of one (1) story shall have a minimum of one thousand one hundred (1100) square feet of living area.

B. Multiple Floor

Each family dwelling of more than one (1) level shall have a minimum of seven hundred fifty (750) square feet on the first level and a total living area of not less than fifteen hundred (1500) square feet exclusive of the basement level, breezeways, garages, and similar accessory structures. A level is defined as any variation of more than fifteen (15) inches between floors.

3.5 Accessory Buildings

A. The height of an accessory building shall not exceed the lesser of the main dwelling or eighteen (18) feet.

B. The accessory building can only be located on a lot with an existing principal structure. The aggregate area of the total detached accessory buildings may have a foundation area not to exceed one and a half percent (1½ %) of the area of the lot upon which the buildings are placed.

Example: (1 acre = 43,560 square feet)

1/4	Acre	=	10,890 sq. ft.	=	163 sq. ft. of accessory buildings allowed
2/3	Acre	=	29,040 sq. ft.	=	436 sq. ft. of accessory buildings allowed
1	Acre	=	43,560 sq. ft.	=	653 sq. ft. of accessory buildings allowed
2	Acres	=	87,120 sq. ft.	=	1200 sq. ft. of accessory buildings allowed

In no case shall the aggregate area of the buildings exceed one thousand two hundred (1200) square feet of foundation or fifty percent (50%) of living area of the principal building, whichever is less.

C. Up to two (2) accessory buildings may be built on a lot.

3.6 **Garages**

All new garage constructions and/or modifications thereto shall be done with a minimum of four hundred (400) square feet and a maximum of eight hundred fifty (850) square feet. Such garage shall have a separate exit other than through the garage door. A garage shall be required for all residential construction, and should be erected at time of construction of the dwelling.

3.7 **Parking Facilities**

Off street parking must be provided for all motor vehicles for each single family dwelling. Front line of main building shall apply to parking and/or storage of trailers including campers and utility type as well as boats or other mobile units. Only one (1) commercial vehicle of not more than one (1) ton rated capacity may be kept, parked, stored or housed at/or on any lot. All recreational vehicles kept on property must be owned by residents of the dwelling. None of the above mentioned vehicles may be used as a dwelling.

3.8 **Fencing**

A. **Location**

Fencing shall be at least one foot within the owner's lot line. If a footer is required, no portion of said footer shall extend within one (1) foot of the property line. Living fences shall be located so that future growth shall not extend over the lot line.

B. **Height**

Non-living front yard fencing shall not exceed forty-eight (48) inches above the finished grade. All other locations of non-living fencing shall not exceed six (6) feet above the finished grade. Living fences within the highway right-of-way shall not exceed a height of thirty-six (36) inches.

C. **Appearance**

The side of the fence facing adjacent property shall be the smooth finished side and all horizontal, diagonal or supporting members shall be on the owner's side of the fence. The fence shall be harmonious and appropriate in appearance with the existing character of the immediate area in which it is to be located.

D. **Safety**

No sharp wire or points shall project from the top, either side, and or

bottom of any fence.

3.9 **Snow fencing**

A snow fence or fence of similar type may be erected or placed in any yard during the period from November to April for the sole purpose of preventing the drifting of snow on highways, driveways, or sidewalks, but such fencing shall not be used at any time as a permanent fence or enclosure.

3.10 **Nuisance prohibited**

No use shall be permitted or authorized to be established which when conducted in compliance with the provisions of this Resolution, and any additional conditions and requirements prescribed, is or may become hazardous, noxious, or offensive due to emission of odor, dust, smoke, fumes, cinders, gas, noise, vibration, electrical interference, refuse matter, water carried wastes, or which will interfere with adjacent landowners' enjoyment of the use of their lands.

3.11 **Exterior Lighting**

The purpose of this exterior lighting section is to regulate outdoor lighting in order to reduce or prevent light pollution and to minimize lighting impacts on surrounding properties. This means to the extent reasonably possible, the promotion of safety and security, the reduction or prevention of glare and light trespass, and the conservation of energy.

Lighting shall not create a nuisance and shall in no way impair the safe movement of traffic on any street or highway. No light shall shine directly on adjacent property.

No lighting structure shall exceed fifteen (15) feet in height unless it is attached to a building, but shall not exceed the height of the building.

The poles or standards for elevated lights shall be no higher than fifteen (15) feet from finished grade to top of light standards and shall be set back at least twenty (20) feet from the public right-of-way, subject to rear and side line regulations, and the lights shaded so as not to interfere with the vision of persons on the highway or neighboring premises.

Exterior lighting shall be installed in a manner to deflect from adjacent residential developments. All exterior lighting for residential and nonresidential use shall be located, screened, or shielded so adjacent lots located in residential districts or recorded subdivisions are not directly illuminated. Shielding may also be required for high intensity light fixtures to prevent glare to adjacent uses, public rights-of-ways, and drives. Perimeter lighting must be at least one (1) foot off of the property line when adjoining residential districts or recorded subdivisions and shall be shielded fixtures to prevent light trespass onto adjacent properties. No exterior lighting shall be of such an intensity or color distortion as to cause glare or to impair the vision of drivers, pedestrians or adjacent

properties. Shields and/or filters are required for light fixtures with high intensity and glare potential.

3.12 Amendments

Pursuant to Section 519.12 of the Ohio Revised Code, amendments or supplements to this Zoning Resolution may be made in the same manner and for the same purpose provided for the adoption of this Zoning Resolution, and as further provided therein. When an amendment to this Resolution changing the zoning of any area becomes effective, it shall be the duty of the Zoning Commission of the Township of Sagamore Hills, Ohio to cause such change to be entered on the Zone Map.

3.13 Invalidity of a part

Should any section or provision of this Zoning Resolution or amendment there to be held to be invalid by a Court of competent jurisdiction, such decisions shall not effect the validity of the remainder of this Zoning Resolution or amendments thereto.

3.14 Sewage disposal

Utilities shall be provided as specified in the Utilities Section of this Resolution.

3.15 Water utility facilities

Utilities shall be provided as specified in the Utilities Section of this Resolution.

3.16 Structural damage

If more than fifty percent (50%) of the structure is damaged for any reason, then the owner or his agent shall obtain a Zoning Permit to repair said damage and commence constructions within one (1) year from said damage; otherwise, structure must be completely razed to ground level.

3.17 Garage sales

Shall be subject to the following regulations:

- A. All garage sales must be registered at the Township office.
- B. No more than two (2) sales at the same address per calendar year.
- C. Sale duration of three (3) consecutive days or less.

- D. Five (5) signs per sale, one at the place of the sale and the other four (4) at the sales operator's choice, provided they are not covering public signs or are placed on utility structures. Signs must be unlit and not exceeding two (2) square feet in area and shall be removed after the termination of the sale.
- E. Neighbors shall not be disturbed by excessive noise, light and traffic congestion.
- F. The sale of fireworks, hazardous material, firearms and ammunition as defined by the O.R.C. is prohibited.

3.18 **Swimming pools**

No swimming pool shall be allowed in any R-district except as an accessory use and unless it complies with the following conditions and requirements:

- A. The pool is intended and is to be used solely for the enjoyment of the occupant and guests of the principal user of the property on which it is located.
- B. In-ground swimming pools containing a depth of eighteen (18) inches or more of water shall be considered as structures and require a zoning permit per Section 12-Zoning Certificate Regulations. The construction, plumbing and electrical requirements, inspections, and other safety facilities shall comply with all applicable county and state codes.
- C. The pool shall be located in the back yard and shall be set back at least ten (10) feet from the side and rear lot lines. This setback shall be measured from the outer edge of the pool.
- D. All swimming pools shall be secured so as to prevent uncontrolled access.
 - 1. All above-ground pools having vertical surfaces of at least four (4) feet in height shall be required to have fences and gates only where access may be had to the pool. Doors and gates shall be equipped with suitable locking devices to prevent unauthorized intrusion.
 - 2. All in-ground pools shall be secured by a fence which meets the corresponding following requirements:
 - a. Fence requirements: In-ground pools shall be secured by a fence not less than four (4) feet and not more than six (6) feet in height. Fences shall be constructed so as to have no openings, holes, or gaps larger than three (3) inches in any dimension except for doors or gates. An accessory building may be used in or as part of such enclosure. Doors and gates shall be equipped with suitable locking devices to prevent unauthorized intrusion.

Staff Comments:

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED**.