



Summit County Planning Commission (SCPC)
Thursday, November 16, 2023 - 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 October 26, 2023, SCPC Minutes | Chair Mavrides |
| D. | Business Items | Knittel |

New Business

Item #1 - Text Amendment – Northfield Center Township – Accessory Structures – Proposal to replace current letter D. Accessory Structures with new updated 310.08 D Accessory Structures & Section 4 Swimming Pools/Hot Tubs.

Item # 2 - Text Amendment – Northfield Center Township – Laser Lights – Proposal to amend Chapter 130 Definitions to add a definition for “Laser Lights”

Old Business

None

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



Summit County Planning Commission (SCPC)

Thursday, October 26, 2023 - 3:00 p.m.

County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio

Meeting Minutes

- A. Call to Order **Chair Allen Mavrides**
Chair Allen Mavrides called to order the Thursday, October 26, 2023 - SCPC monthly meeting at 3:00 p.m.

- B. Roll Call **Dennis Tubbs**

SCPC Member	Present
Beckham, George	
Dickinson, Erin	
Wiedie-Higham, Christine	X
Jones-Capers, Halle	X
Kline, David	X
Mavrides, Allen	X
Reville, Rich	X
Segedy, Jason	X
Snell, Jeff	
Stoiber, Dennis	X
Terry, Robert	X

Reported by *Dennis Tubbs*, we have a quorum for SCPC meeting Thursday, October 26, 2023– SCPC monthly meeting at 3:01 p.m.

C. Approval of the September 28, 2023, SCPC Minutes

Chair Allen Mavrides

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle					X
Kline, David	X		X		
Mavrides, Allen					X
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis		X	X		
Terry, Robert			X		

Motion

David Kline made a motion to *_approve_ Thursday, September 28, 2023, SCPC meeting minutes*, and it was seconded by *Dennis Stoiber, all in favor, aye, Thursday, August 31, 2023, SCPC meeting minutes*, the motion was *approved* with 2 abstentions (*Halle Jones-Capers and Allen Mavrides*).

D. Business Items

James Taylor

New Business

Item #1 – Copley Township – Text Amendment – Agriculture - The applicant has proposed that the Copley Township Zoning Resolution be revised to regulate agricultural uses within the township.

Reported by James Taylor:

James Taylor reported that the township would like the zoning resolutions to be revised. Per the townships' current zoning resolution Article 6 Section 6.01 T. Regulation of Agricultural Uses the township would like to strike the second (2nd) and third (3rd) paragraphs.

CURRENT TEXT

Article 6, Section 6.01 T. Regulation of Agricultural Uses T. Regulation of Agricultural Uses
Any person seeking a change in use or construction, alteration, erecting, reconstructing, enlarging, or structurally altering any building or structure to a use or structure incidental to a use which is exempt from regulation by operation of the Ohio Revised Code shall file with the Zoning Inspector an Affidavit/Application for exemption. Said application shall detail the use or purpose of the construction, alteration, erecting, reconstruction, enlarging, or structurally altering any building or structure which qualifies for exemption under the statutes and within

thirty (30) days the Zoning Inspector shall certify the exemption or deny said exemption requested. An Applicant for Exemption may appeal any denial to the Board of Zoning Appeals.

~~A Township Zoning Resolution, or an amendment to such Resolution, may, in any platted subdivision approved under O.R.C. §§711.05, 711.09, 711.10 or in any area consisting of fifteen or more lots approved under O.R.C. § 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, regulate: 1. Agricultural uses on lots of one (1) acre or less; 2. Buildings or structures incident to the use of the land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres by: setback building lines; height and size; 3. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty five percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under O.R.C. § 4503.06. After thirty five percent of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to O.R.C. §519.19~~

PROPOSED TEXT

Article 6, Section 6.01 Regulation of Agricultural Uses

A. Agriculture is a permitted use in all Residential Districts provided:

1. The property owner maintain compliance with all regulations of jurisdictional agencies including Summit County Public Health
2. Agricultural use, on lots less than 5 acres:
 - a. Structures shall be placed to the rear of the primary dwelling.
 - b. Structures shall be setback a minimum of 20' from all property lines (Springfield Twshp, Hamilton Co.)
 - c. Enclosed shelter must be provided for and made available to animals associated with agricultural use and meet the separation requirements as defined by Summit County Public Health Environmental Code 600
 - d. A maximum of ten (10) hens is permitted.
 - e. The keeping of roosters is prohibited.

B. The possession of dangerous wild animals and restricted snakes as defined by the Ohio Revised Code 935 are prohibited.

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

Rich Reville asked, why are you recommending it be approved, as he is curious about Article 6, Section 6.01 Regulation of Agricultural Uses A. 2. *Agricultural use, on lots less than 5 acres*

Representation for the Township:
Shawna Gfroerer, Zoning Inspector, MPA
1540 S. Cleveland-Massillon Road, Copley, OH
330-666-0108

Shawna explained that the Copley Twp. zoning commission has been working with several of the residents for the past six (6) months and proposed text updated. The township currently only has one (1) regulation in reference to agricultural use and that's the requirement of an affidavit, so if a resident wants to construct an agricultural building, then the resident would have to come in. A site visit is conducted and the resident signs and affidavit that it is only for agricultural use.

But other than that, the township does not regulate, and many know residential chickens have exploded at little, they have always been. The township gets about 2-3 calls about chickens specifically. One (1) call would ask, "if they can have chickens" and another 2 or 3 calls would be complaints about the neighbors' having chickens and roosters. The township is trying to find balance which is why it took about six (6) months to amend. They looked at about ten (10) other communities and settled on the limit of ten (10) hen, most of the communities have settled on the up to ten (10) chickens and most prohibit roosters all together. The township had a couple zoning members that were chicken keepers and stated that roosters are not required. If you look at some of the federations of rooster and chicken keeping, roosters are only required to create chicks and if you want to purchase chicks then you have to do it through a legally operated "chickery". So, the township settled on these regulations.

The township also kept it on lots less than five (5) acres because some of the properties have lots that are similar to other townships they have bowling alleys type lots as some of the houses are not in A platted subdivision, but do not have that have a setback about 60 feet, as they are right next to one another, even though they may have 3-4 acres this gives a regulations to help to protect lots that are close dwelling, but on parcels larger than one (1) acre. However, this is really where the townships authority ends.

Questions from the members:

Dennis Stoiber asked, is part A(2)B just for reference, not included in the text amendment?

Answer: Yes

Allen Mavrides asked, how do you keep the chickens on something that is only 100 feet wide? Is there a relationships of length vs width of a property an area so to speak as it can't be twice as long as its wide.

Answer: As far as lot splits, she believed that there is in some communities prohibits the type of creation. The township does not encourage those types of lot splits, but they do only have a minimum frontage requirement of 60 feet and most bowling alley type lots were created when farms where being built.

Rich Reville asked if this was a platted or unplatted development?

Answer: Throughout the township in general, but the township does or would be able to default to regulation regarding plotted subdivisions of one (1) acre or less through the ORC which is currently what the township refers to, but the township can only help enforce those if within the deed restriction they specifically call out no poultry, no keeping or no harboring of the animals. There are some subdivisions that do that, but some subdivisions that are non-platted subdivisions that have been built up to subdivisions but have no regulations or HOA's like other subdivisions have.

Rich Reville stated, yes, we have seen some HOA's that do not allow chickens at all.

Answer: It is pretty common, they do not allow the keeping or care of poultry, hogs, pigs, minks, etc. the township has about 7000-8000 parcels and about 3/4ths of the parcels are in platted subdivisions and are already being self-regulated in those HOA regulations and convenance, it's some of the rural parcels that are still plotted pretty close to dwellings. The township referred to the Public Health environmental code and Summit County Public Health tools as they really helped with making the determination of the amendment.

Allen Mavrides explained, that they are also experiencing this in the City of Munroe Falls, but he made sure if at any time the word "chicken" was mentioned it had to come with a variance and has to be presented to all adjacent property owners, so you could have the people who are going to be immediately affected decide on if they wanted to see it or not.

Answer: They have had three (3) calls in support of the amendment so far and none in opposition of it, they have also publicized the amendment. The township stated that they pride themselves in enhancing the world so to speak, so they are trying to balance urban development near Montrose and the modern part of the township.

County Engineer's Office:

Joe Paradise, Summit County Engineer's office

Joe Paradise explained that in Paragraph B of the amended text B. The possession of dangerous wild animals and restricted snakes as defined by the Ohio Revised Code 935 are prohibited. The township may need cross reference fencing requirements, stock piling of waste products, odor provisions. Does the township have zoning variances, have the township look for not only agricultural use, but look for other related matters.

In reference to "*possession of dangerous wild animals*", there are wild animals that are not necessarily dangerous. Domesticated animals as well, so the amendment needs to be looked at carefully.

Answer: Explained that at one point in time in Copley Township there was a "zoo" and this is something that they are trying not to have occur again. There is a list in the ORC referencing dangerous/wild animals.

What does the ORC have to say about "pets"; please refer to ORC 935 about List of Determined Endangered Species

Summit Soil and Water: No comments from Summit Soil and Water

Questions from the Public: No comments from public

Discussion from the members: No further discussion from the members.

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David		X	X		
Mavrides, Allen			X		
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis	X		X		
Terry, Robert			X		

Motion:

Dennis Stoiber made a motion to approve **Item #1 – Copley Township – Text Amendment** with due consideration to staff and Summit County Engineer office comments, and it was seconded by *David Kline*, **all in favor, aye, Item #1 – Copley Township – Text Amendment**, the motion was approved with 0 abstentions.

Item #2 – Coventry Township – Text Amendment – B-2 Square Footage – The applicant has proposed to amend Coventry Township Zoning Regulations Section 11.01 B-2 Limited Local Business District to add language stating that no individual business shall occupy a building footprint greater than 3000 square feet.

Reported by James Taylor:

James Taylor reported that is his understanding that the B-2 Limited Local Business District is for small neighborhood stores, it's not for large shopping plazas or malls or developments, this is to prevent big box store from moving into the neighborhood. This is why we have the restriction of not being greater than 3000 square feet.

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

Representation for the Township:

Laura Cowles, Zoning Inspector

68 Portage Lakes Drive, Akron, OH 44319

330-644-0785 ext 695

Essentially, the township had a larger big box store that came into a parcel that was on Portage Lakes Drive where they have a couple of restaurants and residents and through the BZA and Court appeals through those denials, it was a recommendation from the townships legal counsel to revise and define

the language better in B-2 Limited Local Business District in order to trying to provide some exhausted list of uses to just change the language to a square foot since it was more simple and straight forward. That is where the 3000 square feet came from to help maintain that smaller limited business in the area.

Questions from the members:

Dennis Stoiber asked, how did you arrive at 3000 square feet? Did you do an inventory of existing businesses?

Answer: No, they used best to guess with what felt right and went with the smaller, but not too small.

Mr. Stoiber also added you will find at some point in time, you will create some non-compliant lawful uses.

Answer: There is a possibility, yes.

Rich Reville asked, do you have any buildings in the area that are larger than 3000 square feet in this particular zoning?

Answer: To confirm that, no. There are likely some, but this is more strictly to a business itself. You can have a small plaza that might be a little over 3000 square feet, but a business itself cannot exceed 3000 square feet.

Jason Segedy wanted to clarify the footprint being 3000 square feet, so if you have a 2-story building the total square footage could be over 3000 square feet as long as the ground floor isn't more than 3000 square feet. Is that correct?

Answer: The "structure" could be more than 3000 square feet, the business itself could occupy no more than 3000 square feet.

Jason Segedy stated that when it says footprint was under the impression that that was the ground floor.

Dennis Stoiber also commented that is says "occupied at building footprint", which is where the confusion lies.

Answer: The township understood.

Jason Segedy suggests, that if it means the square footage of the building itself then remove the word "footprint".

David Kline stated that he thinks that the township was going by the business itself. You could have a 6000 square foot building, but a business can only occupy 3000 square foot of it.

Answer: That is correct.

****All members agreed of the suggestion that the zoning remove the word "footprint". If this was the zoning commissions intensions. Is it the footprint or the occupied space.**

Answer: It is believed that it is the occupiable space, oppose to the first level strictly.

County Engineer's Office: No comments from County Engineer's office

Summit Soil and Water: No comments from Summit Soil and Water

Questions from the Public: No comments from the public

Discussion from the members: No further comments from the members

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George					
Dickinson, Erin					
Wiedie- Higham, Christine		X	X		
Jones-Capers, Halle			X		
Kline, David	X		X		
Mavrides, Allen			X		
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis			X		
Terry, Robert			X		

Motion:

David Kline made a motion to *approve* **Item #2 – Coventry Township – Text Amendment**, with due consideration of staff comments of removal of the word “footprint” and it was seconded by Christine Wiedie- Higham, *all in favor, aye*, **Item #2 – Coventry Township – Text Amendment**, the motion was approved with 0 abstentions.

Item #3 – Coventry Township – Rezoning – 2606 Ley Dr - The applicant is requesting a change in zoning classification for 2606 Ley Dr. (Parcel #s 1903857 and 1903865). Located south of Bailey Dr. Contains approx. 8.7 acres of land currently zoned C-I Commercial to rezone to Residential Single Family to match existing use.d

Reported by James Taylor:

James Taylor referred to the map in the packet in reference to the two (2) properties being mentioned in this amendment, the property to the North is Zone C-I commercial; to the East UPT 22A which is a FOP Lodge; to the South C-I commercial zoned property that is controlled by ODNr; to the West is R1 residential lot. Currently, there is a house on the property that is being used as a single-family home.

Staff comment

- 1) The proposed change should not adversely affect the adjoining properties.
- 2) The proposed zoning is a lesser intensity use than the current zoning it should not impact public services and facilities.
- 3) The proposed zoning change is reasonable given the nature of the surrounding area.

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

Representation:

*Property Owner David Hileman Sr.
2606 Ley Dr. Coventry Township*

Mr. Hileman reported an error or typo in the parcel numbers and acreage, he explained that he does not have 8.7 acres he has 5.4 acres, also the parcel numbers are 1908356 and 1903857 opposed to what was reported by staff of Parcel #s 1903857 and 1903865. He stated that he has been on the property for 50 years and his property was never brought into question. He stated that he put in an application of finance on the house. It struck him funny that three (3) applications came back listed as commercial not residential. He was told that if anything happened to the house then the insurance would rebuild, however be it that his property is zoned as commercial he would need a permit to rebuild. He went to the township about it, and they disagreed that he would receive a permit, but if it was listed correctly then he would not have to go that route, which is why he is here today.

Questions from the members:

Dennis Stoiber asked, looking at the aerial photograph it looks like the property is a site of manufactured home park, is this correct?

Answer: No. The FOP Park annexes into Akron the “black area”, he states that he is adjacent to it. The FOP Park has trailers in the back. His property is shown in “blue”. Its diagram does not show his other property 1903857 parcel within it, runs down into the swamp a long way, but is not in use.

Rich Reville asked, does Bailey Road come into your property?

Answer: The applicant stated that he started off on Ley Drive but had some liability things with Akron Auto Auction and they proposed to put in the Bailey Road change. Where the red line turns and heads over the sign that says Ley Drive, that the road they put in through the middle of their parking lot, it’s beginning to present another problem. His concerns for being put in an unfavorable position with zoning he is trying to head it off now instead of in the future.

Representation for the Township:

*Laura Cowles, Zoning Inspector
68 Portage Lakes Drive, Akron, OH 44319
330-644-0785 ext 695*

Laura Cowles stated that at this time the township has no objection to this change and understands the applicant’s request.

County Engineer’s Office: No comments from County Engineer’s office

Summit Soil and Water: No comments from Summit Soil and Water

Questions from the Public: No comments from the public

Discussion from the members:

David Kline stated that there was no objection, just felt as though the property would be valued more as commercial, however this is the applicant's property and request.

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David			X		
Mavrides, Allen	X		X		
Reville, Rich			X		
Segedy, Jason		X	X		
Snell, Jeff					
Stoiber, Dennis			X		
Terry, Robert			X		

Motion:

Allen Mavrides made a motion to approve Item #3 – Coventry Township – Rezoning, and it was seconded by Jason Segedy, all in favor, aye, Item #3 – Coventry Township – Rezoning, the motion was approve with 0 abstentions.

Old Business

None

- E. Report from Assistant Director

Assistant Director, Dennis Tubbs

Assistant Director, Dennis Tubbs reported that we are still waiting for comments from the townships in reference to the SubDivision regulations. Once received we will present the revisions to the County Council for review and approval.

- F. Comments from Public

Chair Allen Mavrides

No Comments from the public

- G. Comments from Commission Members

Chair Allen Mavrides

No further discussion from the members

H. Other
1. Legal Update

Atty. Marvin Evans

No current updates from Legal

I. Adjournment

Chair Allen Mavrides

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George					
Dickinson, Erin					
Wiedie- Higham, Christine		X	X		
Jones-Capers, Halle			X		
Kline, David	X		X		
Mavrides, Allen			X		
Reville, Rich			X		
Segedy, Jason		X	X		
Snell, Jeff					
Stoiber, Dennis			X		
Terry, Robert			X		

Motion:

David Kline made a motion to *adjourn Thursday, October 26, 2023, SCPC meeting adjournment*, and it was seconded by *Christine Wiedie-Higham and Jason Segedy (in unison)*, ***all in favor, aye Thursday, October 26, 2023, SCPC meeting adjournment***, the motion was *adjourned* with 0 abstentions. Meeting adjourned at 3:34 p.m.

These minutes were recorded, prepared, and represent the writer's best recollection of the items discussed by:

Tazena Long, Executive Assistant

Department of Community and Economic Development

Monday, November 6, 2023 @ 7:30 a.m.



Planning Commission
Zoning Text Amendment
Accessory Structures
Northfield Center Township

Item No.: 1
Meeting: November 16, 2023
Applicant: Northfield Center Zoning Commission
Proposal: **Accessory Structures**
Processor: Stephen Knittel

Proposal: To amend the Northfield Center Township Zoning Resolution 310.08 letter D. Accessory Structures with new updated 310.08 D Accessory Structures & Section 4 Swimming Pools/Hot Tubs.

Existing Text:

Sec. 310.08 ACCESSORY USE REGULATIONS.

Accessory uses, buildings and structures in residential districts shall conform to the location, coverage and maintenance standards contained in this Section.

- A. Principal Building Projections in Required Yards. Skylights, sills, belt-courses, cornices, chimneys, and ornamental features attached to the principal building may project a maximum of 12 inches into a required yard.
- B. Location Requirements for Accessory Uses. An accessory building or use permitted in a residential district shall be located as set forth in Schedule 310.08. However, an accessory use shall only be permitted to the extent such use complies with all other accessory use regulations set forth in this section.
- C. Schedule 310.08: Amended via Resolution No 03/08-18e:Res. No.14/10-06E

Use	Yard Permitted	Front Yard Regulations	Minimum Setback From Lot Line	
			Side	Rear
1. Detached accessory buildings, including garages	Side, rear	NA	10 ft.	10 ft.
2. Driveways	Front, side, rear	--	3 ft. ^(a)	3 ft.
3. Terraces, uncovered porches, platforms, ornamental features that do not extend more than 3 feet above the ground	Front, side, rear	^(b)	3 ft.	^(c)
4. Fences, walls	Front, side, rear	3 ft. ^(d)	On Line ^(d)	On Line
5. Outdoor storage of recreation vehicle	Rear, Side	NA	20 ft.	20 ft.
6. Swimming pools	Rear	NA	^(c)	^(c)
7. Satellite Dishes with a diameter greater than 39 inches	Rear	NA	^(c)	^(c)
8. Pergola	Side, rear	NA	10 ft.	10 ft.
9. Gazebo	Side, rear	NA	10 ft.	10 ft.
10. Residential Carport Canopy and Storage Structure	Rear, side			
Notes to Schedule 310.08: NA = Not applicable				
^(a) This setback shall not apply to repair, resurfacing or reconstruction of existing driveways.				
^(b) May project a maximum of 10 ft. into required front yard.				
^(c) Shall comply with setbacks for principal buildings set forth in Schedule 310.05.				
^(d) Applies to the footer as well, see Sec. 310.08I for maximum height limitations and openness criteria. Fences constituting a corral shall comply with the regulations set forth in Sec. 310.08L.				

D. Accessory Buildings.

1. An accessory building that is attached to the dwelling shall be made structurally a part thereof and shall comply with the setback requirements for principal buildings set forth in Schedule 310.05.
2. An accessory building that is detached from the principal building shall comply with the setback requirements of Schedule 310.08 and shall be located a minimum of 15 feet from the principal building.
3. Each dwelling unit shall be permitted to have only one garage, either attached or detached, which shall comply with the following:
 - a) The area of such garage for a single-family dwelling shall not exceed 960 square feet.
 - b) The area of such garage for a two-family dwelling shall not exceed 500 square feet per dwelling unit.
 - c) The garage shall accommodate the number of parking spaces required in Section 410.04.
 - d) Each garage shall have a pedestrian exit to the outdoors other than through the garage door utilized by the vehicles.
4. One additional accessory building shall be permitted on the lot in compliance with the following:
 - a) The area of an accessory building other than a garage shall not exceed 450 square feet, except as permitted below for lots of one acre or greater and shall not exceed 15 feet in height. Accessory buildings greater than 1,000 square feet shall not exceed 18 feet in height.
 - b) Notwithstanding the provisions set forth in subsections 4a) above, when the area of the lot is one acre or greater, the maximum area of such accessory building other than a garage shall be 1.5 percent of the area of the lot, provided that the area of such accessory building shall not exceed the ground floor area of the dwelling unit and shall not exceed 18 feet in height.

Adopted via Resolution No. 18/10-01 A

5. One pergola or one gazebo shall be permitted on the lot, in addition to an accessory building, in compliance with the following:
 - a) Size shall not exceed 144 square feet.
 - b) Setbacks shall be maintained according to Schedule 310.08.
 - c) A roof is permitted but walls are not allowed. Walls would be considered an accessory building and would be subject to a different zoning regulation.

6. Residential carport canopy and storage structure:

- (a) One (1) permitted.
- (b) Structure not more than 200 square feet.
- (c) Must be behind front face of primary structure.
- (d) Zoning certificate (permit) required.

7. Damage to carport canopy structure:

- a) Covering to canopy or storage structure which develops rips or tears shall be repaired with the same fabric or better.

8. The following regulations shall be applicable to portable storage units for on-site storage and/or dumpsters in the residential zoning areas:

- a) There shall be no more than one (1) portable storage unit or dumpster per lot.
- b) A portable storage unit or dumpster shall be no larger than eight (8) feet wide, sixteen (16) feet long and eight (8) feet high.
- c) No portable storage unit or dumpster shall remain in a residential zoning district in excess of fifteen (15) consecutive days and portable storage units shall not be placed on a lot in a residential zoning district in excess of thirty (30) days in any calendar year. The portable storage unit shall be removed from the lot by the expiration date on the permit.
- d) A portable storage unit and/or a dumpster shall be permitted during construction, re-construction, or alteration or renovation of the principal building for an additional period of three (3) days before and after such activity, provided a building permit has been issued by Northfield Center Township. The portable unit and/or dumpster shall be removed from the lot before the Township Zoning Inspector issues an occupancy permit, or if the construction activity ceases for a period of more than seven (7) consecutive days.
- e) A portable storage unit or dumpster may be located on a lot during an emergency situation as declared by the appropriate Federal, State, County or Ohio Township agency pursuant to a temporary permit issued by the Ohio Township Building Inspector. The portable storage unit or dumpster shall be removed from the lot within seven (7) days after the end of the emergency declaration.

f) It shall be unlawful for any person to place, or permit the placement of, a portable storage unit or dumpster on property which he or she owns, rents, occupies or controls without first having obtained a permit therefore from the Northfield Center Township Zoning Inspector.

g) Application for a permit shall be made to the Northfield Center Township. The Zoning Inspector shall determine the most appropriate location for the portable storage unit or dumpster to be placed on the lot. A permit fee in an amount to be established from time to time by resolution of the Northfield Center Township Trustees will accompany the application. The issuances of a permit shall allow the applicant to place the portable storage unit or dumpster on the subject lot in the location specified in the permit.

9. Commercial/Industrial Areas:

- a) The container needs to be screened from the road and adjoining property by trees or an approved fence/wall.
- b) The container needs to be located at the side or behind the business.
- c) Setbacks shall conform to the zoning regulations.
- d) The container shall be considered safe and have ventilation and locks for safety reasons.

Proposed Text Amendments:

REMOVE CURRENT LETTER "D" IN SECTION 310.08 AND REPLACE WITH THE FOLLOWING:

D. Accessory Structures

1. The total area of all detached accessory structures that are regulated by this Zoning Resolution and which are located in the rear yard shall not exceed 30% of the rear yard area.
2. Accessory Building
 - a. An accessory building that is attached to the dwelling shall be made structurally a part thereof and shall comply with the setback requirements for principal buildings set forth in Schedule 310.05.

b. An accessory building that is detached from the principal building shall comply with the setback requirements of Schedule 310.08 and shall be located a minimum of 15 feet from the principal building.

c. Each dwelling unit shall be permitted to have only one garage, either attached or detached, which shall comply with the following:

- i. The area of such garage for a single-family dwelling shall not exceed 960 square feet.
- ii. The area of such garage for a two-family dwelling shall not exceed 500 square feet per dwelling unit.
- iii. The garage shall accommodate the number of parking spaces required in Section 410.04.
- iv. Each garage shall have a pedestrian exit to the outdoors other than through the garage door utilized by the vehicles.

d. One additional-accessory building shall be permitted on the lot in compliance with the following: amended via Res. No. 23/08-07B

- i. The area of an accessory building shall not exceed 450 square feet, except as permitted below for lots of one acre or greater and shall not exceed 15 feet in height. Accessory buildings greater than 1,000 square feet shall not exceed 18 feet in height.
- ii. Notwithstanding the provisions set forth in subsections 4a) above, when the area of the lot is one acre or greater, the maximum area of such accessory building other than a garage shall be 1.5 percent of the area of the lot, provided that the area of such accessory building shall not exceed the ground floor area of the dwelling unit and shall not exceed 18 feet in height.

Adopted via Resolution No. 18/10-01 A

e. One pergola or one gazebo shall be permitted on the lot, in addition to an accessory building, in compliance with the following:

- i Size shall not exceed 144 square feet.
- ii Setbacks shall be maintained according to Schedule 310.08.

iii. A roof is permitted but walls are not allowed. Walls would be considered an accessory building and would be subject to a different zoning regulation.

f. Residential carport canopy and storage structure:

- i. One (1) permitted.
- ii. Structure not more than 200 square feet.
- iii. Must be behind front face of primary structure.
- iv. Zoning certificate (permit) required.

g. Damage to carport canopy structure:

i. Covering to canopy or storage structure which develops rips or tears shall be repaired with the same fabric or better.

3. Temporary portable storage units/dumpsters:

a. There shall be no more than one (1) portable storage unit or dumpster per lot.

b. A portable storage unit or dumpster shall be no larger than eight (8) feet wide, sixteen (16) feet long and eight (8) feet high.

c. No portable storage unit or dumpster shall remain in a residential zoning district in excess of fifteen (15) consecutive days and portable storage units shall not be placed on a lot in a

residential zoning district in excess of thirty (30) days in any calendar year. The portable storage unit shall be removed from the lot by the expiration date on the permit.

d. A portable storage unit and/or a dumpster shall be permitted during construction, reconstruction, or alteration or renovation of the principal building for an additional period of three (3) days before and after such activity, provided a building permit has been issued by Northfield Center Township. The portable unit and/or dumpster shall be removed from the lot before the Township Zoning Inspector issues an occupancy permit, or if the construction activity ceases for a period of more than seven (7) consecutive days.

e. A portable storage unit or dumpster may be located on a lot during an emergency situation as declared by the appropriate Federal, State, County or Ohio Township agency pursuant to a temporary permit issued by the Ohio Township Building Inspector. The portable storage unit or dumpster shall be removed from the lot within seven (7) days after the end of the emergency declaration.

f. It shall be unlawful for any person to place, or permit the placement of, a portable storage unit or dumpster on property which he or she owns, rents, occupies or controls without first having obtained a permit therefore from the Northfield Center Township Zoning Inspector.

g. Application for a permit shall be made to the Northfield Center Township. The Zoning Inspector shall determine the most appropriate location for the portable storage unit or dumpster to be placed on the lot. A permit fee in an amount to be established from time to time by resolution of the Northfield Center Township Trustees will accompany the application. The issuance of a permit shall allow the applicant to place the portable storage unit or dumpster on the subject lot in the location specified in the permit.

4. Swimming Pools/Hot Tubs/Spas:

a. Swimming pools, hot tubs and spas shall comply with the locational and coverage requirements of Sec. 310.08C

b. The construction, plumbing and electrical requirements, inspections, and other safety facilities shall comply with all applicable county codes.

c. Swimming pools

- i. In ground and above-ground pools with a height of less than four (4) feet or soft-wall pools 18 inches in height or greater shall be completely surrounded by a fence or wall not less than four (4) feet in height.
- ii. Such fence shall be constructed so as to have no openings, holes, or gaps larger than 3 inches in any dimension, except for doors or gates. An accessory building may be used as part of such enclosure.
- iii. Above-ground pools having hard wall vertical surfaces of at least 4 feet in height shall be required to have fences and gates only where access may be had to the pool.
- iv. Doors and gates shall be equipped with suitable locking devices to prevent unauthorized intrusion.
- v. Pools under 18 inches in height are not classified as swimming pools and are exempt from these regulations.

d. Hot tubs and spas

- i. Shall have a cover over the surface of the water when not in use.

Staff Comments:

Chapter 310.08 Section D. 2. d i) and ii) are difficult to follow what the rules are.

If 2. d. i) "shall not exceed 450 square feet" is only for lots less than one acre it may be more clear to write:

d. One additional accessory building shall be permitted on the lot in compliance with the following:

- i) When the area of the lot is less than one acre, the area of an accessory building other than a garage shall not exceed 450 square feet and shall not exceed 15 feet in height.
- ii) When the area of the lot is one acre or greater, the maximum area of such accessory building other than a garage shall not exceed the ground floor area of the dwelling unit and may be up to 1.5 percent of the area of the lot, and shall not exceed 18 feet in height.

Section 4 Swimming Pools/Hot Tubs/Spas:

The City of Tallmadge has a swimming pool application form which includes zoning and construction requirements (see attached) the following is the zoning requirements:

Zoning Code Section 1104.08 (U) (1) Swimming Pool: Private Residential Outdoor, Above and In-ground

- Pools shall comply with the latest edition of the International Residential Code/ International Swimming Pool and Spa Code (ISPSC). (See excerpts following in this document)
- Portable or temporary pools with a maximum width of 12 feet and which is less than 100 square feet in area shall only be permitted in the residential zoning districts and shall comply with all other requirements for private swimming pools in this section.
- All above ground swimming pools with a wall height four (4) feet or more shall be secured with one of the following:
 - (a) The pool shall have steps or a ladder that swings up and locks in place off the ground

- or removed when the pool is unattended,
- (b) the pool platform or deck has a gate with a locking device to prevent uncontrolled access from adjacent properties, or
- (c) the pool area or the entire property on which it is located shall be enclosed with a wall or fence having a minimum height of four (4) feet and be equipped with a gate and locking device that is securely latched to prevent uncontrolled access from adjacent properties.
- All enclosures shall be maintained in good condition. All above ground swimming pools less than forty-eight (48) inches in height but more than twenty-four (24) inches in height shall be covered when not in use to prevent uncontrolled access.
 - Swimming pools two (2) feet or less shall not be regulated.
 - When necessary, pools may be drained onto natural ground at a metered rate as to allow the water to percolate into the soils. However, if it is adversely affecting adjacent properties then the pool must be discharged directly to the storm sewer. Such discharge shall only be permitted when the chlorine residual is below the lowest measurable value of the typical home test kit (usually 0.5 mg/L chlorine). (TCO 1327.10 (a)(8))
 - Pools shall be setback a minimum of 10' from the side lot line and 25' from the rear lot, unless setbacks are platted differently.
 - Any electrical or plumbing permits are to be acquired from Summit County Department of Building Standards at 1030 E. Tallmadge Avenue, Akron, Ohio (330-630-7280)

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

SWIMMING POOL ZONING APPLICATION GUIDE

SUBMISSION PROCEDURE

- ☐ Submit the completed application packet with payment (per the fee schedule) to the Planning & Zoning Department (checks payable to City of Tallmadge).

The application packet, must include the following:

- ☐ Completed application (2 pages) signed by the applicant.
- ☐ Site Plan showing placement of the proposed swimming pool and all existing structures
Must show dimensions of property, easements and/or Riparian setbacks if applicable, all structures on property and proposed structure with measurements to property lines.
- ☐ Elevated Building plan for pool or picture of pool / brochure showing safety features (locking gates, etc.).
- ☐ Fence Application, if necessary.
- ☐ Any additional documents, as applicable.

SWIMMING POOL STANDARDS

A Zoning Permit is required for any swimming pool (In-Ground or Above-Ground) installation. The following are standards for private residential outdoor swimming pool installations. These are in addition to any requirements set forth per Summit County Department of Building Standards.

It is the property owner's responsibility to locate property lines and to verify compliance with any homeowner's association and/or deed restrictions, when applicable.

When the project is staked out or placed on property, call 330-633-0090 for inspection for Zoning compliance.

Installation of approved backflow protection device per TCO 929.06. Contact City of Tallmadge Utilities (330-633-0851 option 4) for information on backflow prevention.

The construction sites for in-ground pools and spas shall be provided with construction fencing to surround the site from the time that any excavation occurs up to the time that the permanent barrier is completed. The fencing shall be no less than 4' in height.

Zoning Code Section 1104.08 (U) (1) Swimming Pool: Private Residential Outdoor, Above and In-ground

- Pools shall comply with the latest edition of the International Residential Code/ International Swimming Pool and Spa Code (ISPSA). (See excerpts following in this document)
- Portable or temporary pools with a maximum width of 12 feet and which is less than 100 square feet in area shall only be permitted in the residential zoning districts and shall comply with all other requirements for private swimming pools in this section.
- All above ground swimming pools with a wall height four (4) feet or more shall be secured with one of the following:
 - (a) The pool shall have steps or a ladder that swings up and locks in place off the ground or removed when the pool is unattended,
 - (b) the pool platform or deck has a gate with a locking device to prevent uncontrolled access from adjacent properties, or
 - (c) the pool area or the entire property on which it is located shall be enclosed with a wall or fence having a minimum height of four (4) feet and be equipped with a gate and locking device that is securely latched to prevent uncontrolled access from adjacent properties.
- All enclosures shall be maintained in good condition. All above ground swimming pools less than forty-eight (48) inches in height but more than twenty-four (24) inches in height shall be covered when not in use to prevent uncontrolled access.
- Swimming pools two (2) feet or less shall not be regulated.
- When necessary, pools may be drained onto natural ground at a metered rate as to allow the water to percolate into the soils. However, if it is adversely affecting adjacent properties then the pool must be discharged directly to the storm sewer. Such discharge shall only be permitted when the chlorine residual is below the lowest measurable value of the typical home test kit (usually 0.5 mg/L chlorine). (TCO 1327.10 (a)(8))
- Pools shall be setback a minimum of 10' from the side lot line and 25' from the rear lot, unless setbacks are platted differently.
- Any electrical or plumbing permits are to be acquired from Summit County Department of Building Standards at 1030 E. Tallmadge Avenue, Akron, Ohio (330-630-7280)

INTERNATIONAL SWIMMING POOL & SPA CODE

Sections 101.3, 202 (five definitions) and 305. Excerpted from 2021 International Swimming Pool and Spa Code: Copyright 2020. Washington D.C.: International Code Council. Reproduced with permission. All rights reserved. www.ICCSAFE.org

101.3 Purpose. The purpose of this code is to establish minimum requirements to provide a reasonable level of safety, health, property protection, and general welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.

202 DEFINITIONS:

EXERCISE SPA (Also known as swim spa) Variants of a spa in which the design and construction includes specific features and equipment to produce a water flow intended to allow recreational physical activity including, but not limited to, swimming in place. Exercise spas can include peripheral jetted seats intended for water therapy, heater, circulation and filtration system, or can be a separate distinct portion of a combination spa/exercise spa and can have separate controls. These spas are of a design and size such that they have an unobstructed volume of water large enough to allow the 99th Percentile Man as specified in APSP 16 to swim or exercise in place.

ONGROUND STORABLE POOL. A pool that can be disassembled for storage or transport. This includes portable pools with flexible or nonrigid walls that achieve their structural integrity by means of uniform shape, a support frame or a combination thereof, and that can be disassembled for storage or relocation.

RESIDENTIAL SWIMMING POOL (Residential Pool). A pool intended for use that is accessory to a residential setting and available only to the household and its guests. Other pools shall be considered to be public pools for purposes of this code.

SAFETY COVER. A structure, fabric or assembly, along with attendant appurtenances and anchoring mechanisms, that is temporarily placed or installed over an entire pool, spa or hot tub and secured in place after all bathers are absent from the water.

SPA. A product intended for the immersion of persons in temperature-controlled water circulated in a closed system, and not intended to be drained and filled with each use. A spa usually includes a filter, an electric, solar or gas heater, a pump or pumps, and a control, and can include other equipment, such as lights, blowers, and water-sanitizing equipment.

305.1 GENERAL

The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable *safety cover* complying with ASTM F1346 and swimming pools are equipped with a powered *safety cover* that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.

305.1.1 Construction fencing required. The construction sites for in-ground pools and spas shall be provided with construction fencing to surround the site from the time that any excavation occurs up to the time that the permanent barrier is completed. The fencing shall be no less than 4 feet in height.

305.2 Outdoor Swimming Pools and Spas

Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7.

305.2.1 Barrier Height and Clearances

Barrier heights and clearances shall be in accordance with all of the following:

305.2.2 Openings

Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

305.2.3 Solid Barrier Surfaces

Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

305.2.4 Mesh Fence as a Barrier

Mesh fences, other than chain link fences in accordance with Section 305.2.7, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches (102 mm) from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall be not greater than 4 inches (102 mm) from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye-type latch incorporating a spring-actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 305.3.
6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.

7. Mesh fences shall not be installed on top of onground residential pools.

305.2.5 Closely Spaced Horizontal Members

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 13/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 13/4 inches (44 mm) in width.

305.2.6 Widely Spaced Horizontal Members

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed 13/4 inches (44 mm).

305.2.7 Chain Link Dimensions

The maximum opening formed by a chain link fence shall be not more than 13/4 inches (44 mm). Where the fence is provided with slats fastened at the top and bottom that reduce the openings, such openings shall be not greater than 13/4 inches (44 mm).

305.2.8 Diagonal Members

Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not greater than 13/4 inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

305.2.9 Clear Zone

There shall be a clear zone of not less than 36 inches (914 mm) between the exterior of the barrier and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the barrier.

305.2.10 Poolside Barrier Setbacks

The pool or spa side of the required barrier shall be not less than 20 inches (508 mm) from the water's edge.

305.3 Gates

Access gates shall comply with the requirements of Sections 305.3.1 through 305.3.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or spa, shall be self-closing and shall have a self-latching device.

305.3.1 Utility or Service Gates

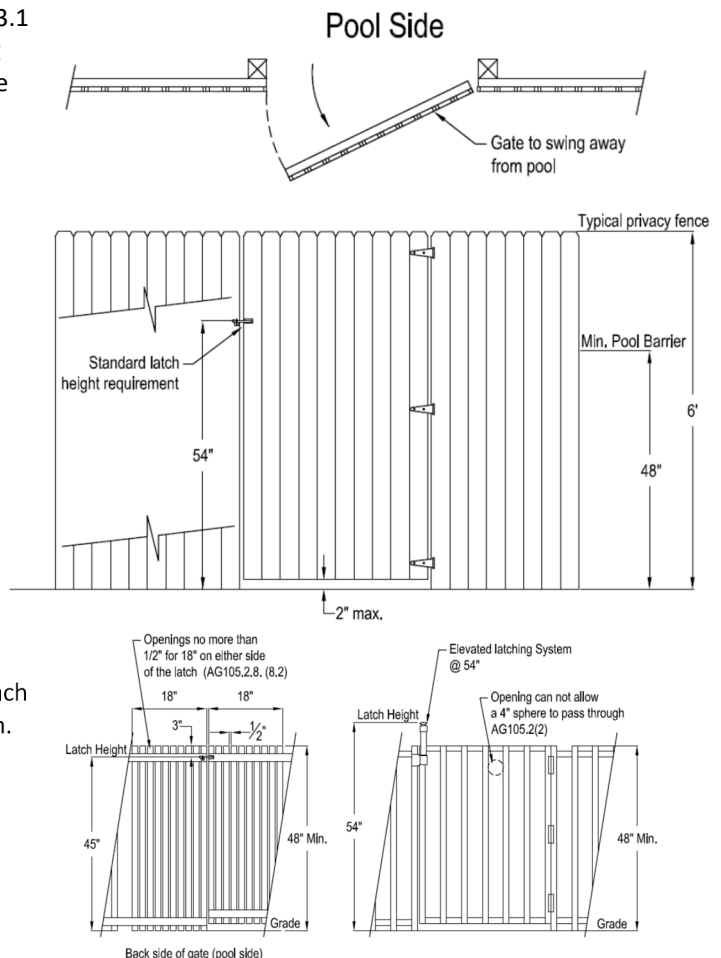
Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.

305.3.2 Double or Multiple Gates

Double gates or multiple gates shall have not fewer than one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the latch release mechanism. The self-latching device shall comply with the requirements of Section 305.3.3.

305.3.3 Latches

Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches (76 mm) below the top of the gate, and the gate and barrier shall not have openings greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.



305.4 Structure Wall as a Barrier

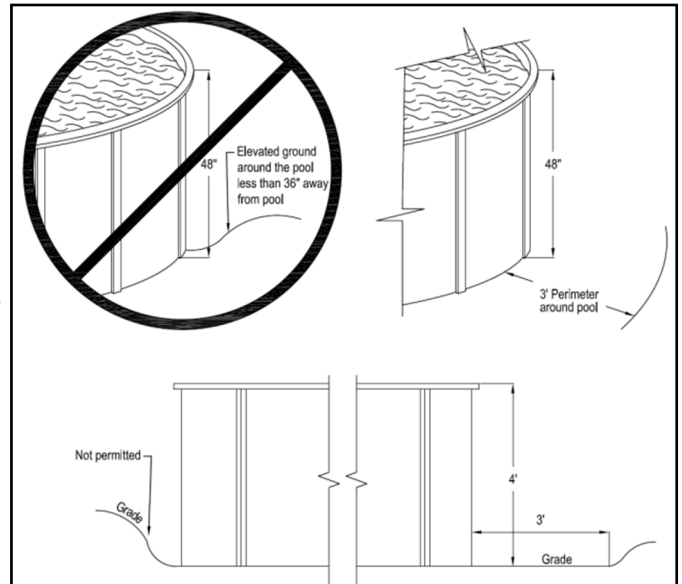
Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
2. A safety cover that is listed and labeled in accordance with ASTM F1346 is installed for the pools and spas.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

305.5 Onground Residential Pool Structure as a Barrier

An onground residential pool wall structure or a barrier mounted on top of an onground residential pool wall structure shall serve as a barrier where all of the following conditions are present:

1. Where only the pool wall serves as the barrier, the bottom of the wall is on grade, the top of the wall is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, the wall complies with the requirements of Section 305.2 and the pool manufacturer allows the wall to serve as a barrier.
2. Where a barrier is mounted on top of the pool wall, the top of the barrier is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, and the wall and the barrier on top of the wall comply with the requirements of Section 305.2.
3. Ladders or steps used as means of access to the pool are capable of being secured, locked or removed to prevent access except where the ladder or steps are surrounded by a barrier that meets the requirements of Section 305.
4. Openings created by the securing, locking or removal of ladders and steps do not allow the passage of a 4-inch (102 mm) diameter sphere.
5. Barriers that are mounted on top of onground residential pool walls are installed in accordance with the pool manufacturer's instructions.



305.6 Natural Barriers

In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge not less than 18 inches (457 mm), a barrier is not required between the natural body of water shoreline and the pool or spa

305.7 Natural Topography

Natural topography that prevents direct access to the pool or spa area shall include but not be limited to mountains and natural rock formations. A natural barrier approved by the governing body shall be acceptable provided that the degree of protection is not less than the protection afforded by the requirements of Sections 305.2 through 305.5.



PLANNING & ZONING DEPARTMENT | 46 NORTH AVE, TALLMADGE, OH 44278 | P 330.633.0090 | F 330.633.1359 | ZONING@TALLMADGE-OHIO.ORG | WWW.TALLMADGE-OHIO.ORG

OFFICE USE ONLY			
RCT		FEE	
<input type="checkbox"/> PZ	<input type="checkbox"/> SVC	<input type="checkbox"/> STR	<input type="checkbox"/> UTIL <input type="checkbox"/> ENG <input type="checkbox"/> B/C

PLANNING & ZONING CERTIFICATE APPLICATION

BASIC APPLICATION REQUIREMENTS (See the appropriate application guide for any additional requirements)

☐ Completed & Signed Application Form ☐ Application Fee ☐ Plot Plan ☐ Building Plan ☐ Additional per Application Guide

APPLICATION TYPE (Check all that apply)

SITE DEVELOPMENT		DEVELOPMENT	USE PERMIT
<input type="checkbox"/> Residential Construction	<input type="checkbox"/> Site Plan Review	<input type="checkbox"/> Preliminary Plat/RePlat	<input type="checkbox"/> Use & Compliance
<input type="checkbox"/> Non-Residential Construction	<input type="checkbox"/> Signage	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Demolition	<input type="checkbox"/> Engineering Review	<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Similar Use

PROJECT DETAILS

PROJECT: _____

PROJECT ADDRESS/LOCATION _____

EXISTING CONDITIONS

PROPOSED PROJECT DETAILS, WHERE APPLICABLE

ACREAGE: _____	NO. OF LOTS _____	SQ.FT OF PROPOSED STRUCTURE: _____
ZONING DISTRICT: _____		PROPOSED ZONING DISTRICT: _____
EXISTING LAND USE: _____		PROPOSED LAND USE _____
CHECK ALL THAT APPLY AND PROVIDE DOCUMENTATION:		EST COST (TRACKING PURPOSE ONLY): _____
<input type="checkbox"/> EASEMENT <input type="checkbox"/> FEMA FLOODPLAIN <input type="checkbox"/> RIPARIAN <input type="checkbox"/> WETLANDS		

CONTACT INFORMATION

Applicant _____	Owner _____
Company _____	Company _____
Address _____	Address _____
Phone _____	Phone _____
Email _____	Email _____
Architect/Engineer/Surveyor/Other: _____	Architect/Engineer/Surveyor/Other: _____
Name _____	Name _____
Company _____	Company _____
Address _____	Address _____
Phone _____	Phone _____
Email _____	Email _____

SIGNATURES & ENDORSEMENTS

_____ I UNDERSTAND THAT I MUST CONTACT SUMMIT COUNTY DEPARTMENT OF BUILDING STANDARDS (330-630-7280) TO VERIFY BUILDING DEPARTMENT REQUIREMENTS FOR APPLIED PROJECTS.

_____ I UNDERSTAND THAT I MUST CONTACT THE CITY OF TALLMADGE ZONING DEPARTMENT WHEN THE PROJECT IS STAKED OUT FOR SETBACK COMPLIANCE. I AM RESPONSIBLE FOR DETERMINING PROPERTY LINES AND MAINTAINING THE APPROVED SETBACKS.

The undersigned hereby certifies that the information in and with this application is accurate, and consents to employees and/or agents of the City entering the premises for inspection verification of the information submitted.

Applicant's Signature

Date

Owner's Signature

Date

OFFICE USE ONLY

REVIEWED BY:

DATE:

☐ APPROVED ☐ APPROVED AS NOTED ☐ DENIED

SWIMMING POOL ZONING APPLICATION

PZ-SP | Page 2

PROPERTY LOCATION: _____

As applicable: ☐ PZC Approval ☐ BZA Approval ☐ ARB Approval Date Granted: _____

PROJECT DETAIL

Is the property on a corner? ☐ Yes ☐ No

Is the property connected to city water? ☐ Yes ☐ No

If yes, I understand a backflow system must be installed per TCO 929.06. ☐ Yes

Contact City of Tallmadge Utilities (330-633-0851 option 4) for information on backflow prevention.

DESCRIPTION

☐ In-ground

☐ Above ground

☐ Temporary (over 24" in height)

Structure measurements:

Width of Structure: _____ ft

Length of Structure: _____ ft

Height from Grade: _____ ft

SETBACKS

Locating property boundaries is the responsibility of the property owner. When unable to locate the boundaries, a survey by a certified surveyor should be completed.

Setbacks are measured from the property line to the closest point of the structure, which includes the roof overhang. All sides that front a street are considered front setbacks.

Left Setback _____ feet

Right Setback _____ feet

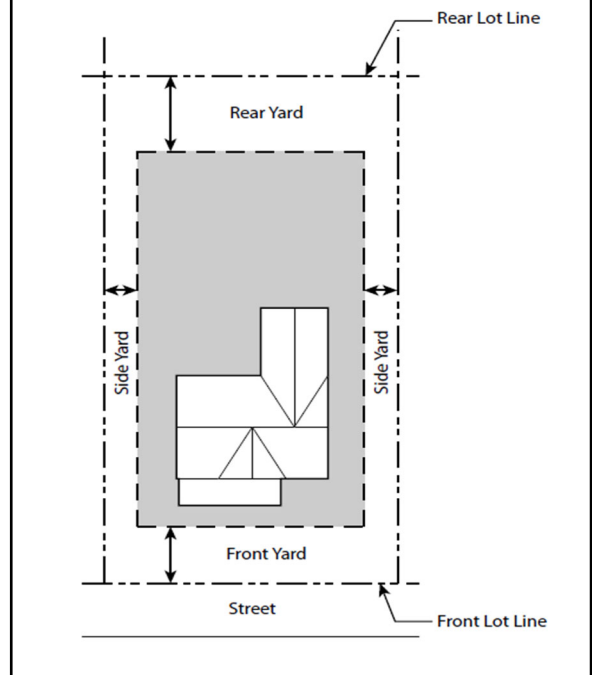
Rear Setback _____ feet

Front Setback _____ feet

Front Setback (corner lot) _____ feet

The determination of front, side and rear setbacks shall be determined by the lot configuration and relationship to the street or streets, and as illustrated below*:

*For other lot configurations see TCO 1110.07(C)



Approvals are solely based on information and plans submitted and becomes void if altered without prior approval of the Planning & Zoning Department. A Zoning Certificate under which no work is commenced within one (1) year shall expire per Section 1102.07 H of the Zoning Code.



Planning Commission
Zoning Text Amendment
Laser Lights
Northfield Center Township

Item No.: 2
Meeting: November 16, 2023
Applicant: Northfield Center Zoning Commission
Proposal: **Laser Lights**
Processor: Stephen Knittel

Proposal: To amend the Northfield Center Township Zoning Resolution Chapter 130 Definitions to add a definition for "Laser Lights"

Proposed Text Amendments:

Laser Lights: A laser beam in the visible spectrum (between 400 and 700 nm wavelength). Often the term is used to describe a projection system emitting laser beams in the visible laser spectrum. Laser ("Light Amplification by Stimulated Emission of Radiation") creates and amplifies electromagnetic radiation of a specific frequency through the process of stimulated emission.

Staff Comments: Staff found some other definitions of Laser that exist in codes already that may suite the Townships purpose – most of the examples come from laws with the intent of making it illegal to shine a laser at an aircraft.

U.S.C. TITLE 18, CHAPTER 2: (b) LASER POINTER DEFINED -- As used in this section, the term 'laser pointer' means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.

The National Defense Authorization Act for Fiscal Year 2021 states:

Sec. 70014 ... 'laser pointer' means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.

The State of Arizona: "Laser pointer or laser emitting device" means any device that is designed or used to amplify electromagnetic radiation by stimulated emission that emits

a beam designed to be used by the operator as a pointer or highlighter to indicate, mark or identify a specific position, place, item or object.

The State of California: "laser" means a device that utilizes the natural oscillations of atoms or molecules between energy levels for generating coherent electromagnetic radiation in the ultraviolet, visible, or infrared region of the spectrum, and when discharged exceeds one milliwatt continuous wave.

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