



BOARD OF TRUSTEES MEETING

Monday, August 21, 2023 at 4:30 p.m.

Please silence cell phones and electronics.

Zoom Meeting is available as a courtesy for viewing the meeting.

Please keep citizens comments to five minutes or less.

MEETING INFORMATION:

The public may dial in or download the Zoom meeting app to access the Board of Trustees meeting with the following credentials:

Meeting ID: 916 3176 7285

Phone: +1 929 205 6099

Password: 059138

- I. Call to Order
- II. Roll Call
- III. Fiscal Officer- Certification of Meeting
- IV. Planning Director Presentation
- V. Planning Director presents the recommendations of the Summit County Planning Commission
- VI. Chair Richard Bradner presents the Zoning Commission Recommendation
- VII. Citizens' comments in favor of the proposed zoning amendments
- VIII. Citizens' comments opposing the proposed zoning amendments
- IX. Board of Trustees discussion
- X. Close Public Hearing
- XI. Motion to Adjourn
- XII. Adjournment

The record will remain open until Friday, September 1, 2023, at 4:00 p.m. for public comments. The Trustees will hold a special meeting on Tuesday, September 5, 2023, at 10:00 a.m. for the decision of the amendments.



August 7, 2023

West Side Leader – Cathy:

Please run the following legal for one day only in the WSL scheduled for Thursday, August 10, 2023:

“Notice of Public Hearing”

Notice is hereby given that the Bath Township Trustees will hold Public Hearing on Monday, August 21, 2023 at 4:30 p.m. in the Bath Township Trustee Meeting Room, 3864 W. Bath Road, Bath, Ohio for Case No. ZC-23-01: review of the proposed text amendments to the Bath Township Zoning Resolution.

Proposed text amendments are available at www.bathtownship.org and are on file at the Township Administrative Offices for viewing. All meetings are open to the public.

The public may dial in or download the Zoom meeting app to access the Board of Trustees meeting with the following credentials:

Meeting ID: 916 3176 7285

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Thank you,

Send invoice and affidavit of publication to: Bath Township Zoning, c/o William Funk, Planning Director/Zoning Inspector, 3864 W. Bath Road, Akron, OH 44333

ZC23-01 Proposed Text Amendments

Article 7, Section 701-D(18) Swimming Pools

Current: (B) For private swimming pools in any residential district, the pool shall be set back a minimum of 20 feet from all lot lines and the principal dwelling.

Proposed: (B) For private swimming pools in any residential district, the pool shall be set back a minimum of 20 feet from all lot lines and 10 feet from principal dwelling.

Automatic Pool Cover Language:

(H) For lots or parcels 1.5 acres or greater with an in-ground swimming pool, a properly installed swimming pool cover system, in lieu of required fencing and/or walls, must be in full compliance with the current American Society for Testing and Material Standards ASTM Standard F1346-91, or its equivalent, and shall be fully operational at all times. Installed swimming pool cover systems shall always be locked and closed when the pool is not in use.

Article 7, Section 701-D(2)(A) Accessory Dwelling Units

(A) The structure shall meet the minimum front yard setback and shall be set back a minimum of 50 feet from all other lot lines. *Decreased setbacks from 100' from all lot lines to the proposed above.

Definition Section 1603: Detached living quarters located on a lot with an existing principal dwelling where the accessory dwelling unit is designed for the use of persons that are related, a caregiver to the homeowner, or for the temporary use of guests of the occupants of the principal dwelling. Such guesthouse or accessory dwellings are not rented, leased, or otherwise transferred to an individual or organization as a separate dwelling.

Article 7, Section 701-B(11)(F) *New - Commercial Accessory Structure

(F) The total building footprint area of all accessory buildings and structures on a lot in the B-1, B-2, B-3, B-4, and B-5 shall not exceed 144 square feet.

Article 5, Section 504-A(3)(H)(ii) Flag Lots

ii) The “flagpole” portion of the lot shall have a minimum lot width at the street right-of-way as required in Table 504-1: Site Development Standards for Residential Zoning Districts and Table 504-2: Site Development Standards for Business and Mixed-Use Zoning Districts. At no point shall the “flagpole” be tapered less than 25 feet in width.

Article 12, Section 1207-J Parking of Commercial Vehicles, Recreational Vehicles, Boats, Equipment and Trailers *New

(1) Commercial Vehicles

(A) Only those vehicles that are classified as a Light Duty Truck, Class 1 or Class 2 by the Federal Highway Administration are permitted to be parked or stored on residential lots for not more than eight consecutive hours. All other classification of vehicles may only be parked or stored on residential lots when within a fully enclosed building.

(B) Residents who rent or lease a commercial moving vehicle for the purpose of moving or storing goods may park the vehicle in their driveway for up to 48 hours for the purpose of loading and unloading.

(2) Parking and Storage of Recreational Vehicles, Boats, Equipment and Trailers

(A) In no instance shall there be more than a total of two recreational vehicles, boats, trailers or equipment, stored outside on a single residential property.

(B) Recreational vehicles, equipment, boats, trailers, or similar equipment shall not be stored in the applicable front setback of the dwelling except that:

(i) Any size recreational vehicle may be temporarily parked in the front yard, on a driveway or paved surface, for a period of not more than 48 hours at any time of the year.

(C) Recreational vehicles, boats and trailers exceeding 24 feet in length, (including the entirety of any trailer) may be parked or stored in a residential district, outside of an enclosed building, subject to the following conditions:

(i) The vehicle is parked or stored on the same lot as the principal dwelling owned by the owner of the vehicle;

(ii) The vehicle shall not be used as living quarters, whether temporary or permanent, and no business shall be conducted in the recreational vehicle while the vehicle is stored;

(iii) The vehicle is parked behind the existing front line of the building foundation at a point furthest from the street right-of-way to the maximum extent practical but in no case shall the vehicle be located any closer than 10 feet from any lot line;

(iv) The vehicle has no permanent connection to electric, water, gas or sewer facilities;

(v) The vehicle is kept in good repair and carries the current year's license and/or registration as required by the State of Ohio;

(vi) Only covers and tarpaulins designed specifically to fit the vehicle may be used to cover the vehicle or components; and

(vii) The entire area under the parking or storage of a recreational vehicle, trailer or similar equipment shall be on a permeable or nonpermeable hard surface.

(D) Recreational vehicles, boats and trailers of any size may be stored in an enclosed garage or permitted accessory building in any residential district provided that no living quarters are maintained, and no business is conducted in the recreational vehicle while the vehicle is stored.

Article 12, Section 1204-B Required Number of Spaces *Change to Maximum

Sec. 1204-B Maximum Required Number of Spaces (Currently the section title reads “Required Number of Spaces”, this change caps the number of allowed spaces per use)

Article 12, Table 1204-2: Parking Area Dimensions

*Increase Parking Stall Width to 10’

TABLE 1204-2: PARKING AREA DIMENSIONS				
ANGLE OF PARKING (DEGREES)	ONE-WAY MANEUVERING AISLE WIDTH (FEET) “A”	TWO-WAY MANEUVERING AISLE WIDTH (FEET) “A”	PARKING STALL WIDTH (FEET) “B”	PARKING STALL LENGTH (FEET) “C”
0 – Parallel	12	20	9	23
30 – 53	14	20	10	18
54 – 75	19	21	10	18
76 – 90	22	24	10	18

Article 12, Section 1207-K Bollards *New

(1) Bollards may be required by the Zoning Inspector to ensure public safety. Final bollard design shall be approved by the ARC.

Definition Section 1603: Bollard means a vertical post designed and used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic.

July 17, 2023

William Funk
Planning Director
Bath Township
Re: Sections 7, 5, and 12

Dear Mr. Funk:

The purpose of a review by a County or Regional Planning Commission, of proposed Township zoning text amendment as required by Section 519.12 of the Ohio Revised Code, is to assist the Township Zoning Commission by providing it with recommendations based on expert opinion, and/or planning and development considerations that often extend beyond township boundaries and which might not be obvious from the local point of view. It is not the function or the intent of the County of Summit Planning Commission to dictate local policies or to regulate the decisions of local governing bodies. It is in the spirit of assistance and advice that the Summit County Planning Commission will consider the proposed zoning text amendment that was submitted for review.

The Summit County Planning Commission took action at its last meeting held on June 29, 2023. The actions concerned the Bath Township Zoning Commission proposal to amend sections 7, 5, and 12.

RECOMMENDATION: Staff recommended to the County of Summit Planning Commission that the requested text amendments be **APPROVED**.

ACTION: After proper review and due consideration, the Summit County Planning Commission recommended that the proposed text amendment, be **APPROVED with due consideration to staff and SCPC comments**.

Comments: Article 7, Section 701-D(2)(A) Accessory Dwelling Units – proposed use of the word “related” – Bath Township Zoning Regulations does not have a definition for “related” and would probably run into the same issues as using the word “family” (no definition for family either) while Staff believes the intent is clear (ADU are not rental units, no strangers should be staying there) the practicality of enforcing “related” could be difficult. – Silver Lake just updated their definition of “Family/Related” which may prove helpful.

Recommend removing the word “Taper” flag lot language. Include diagrams for what a “flag lot” and “flag pole” are.

Building Code may require fences, should be checked before proposed language is adopted.

Respectfully submitted,

Stephen Knittel

Stephen Knittel
Senior Administrator
County of Summit Department of Community and Economic Development

BATH TOWNSHIP

Summit County, Ohio



August 21, 2023

Bath Township Trustees
3864 W. Bath Road
Akron, OH 44333

Dear Bath Township Trustees,

The Bath Township Zoning Commission held a public hearing on Thursday, July 13, 2023 to hear **Case ZC 23-01** regarding the proposed amendments to Article 7, Section 701-D(18) Swimming Pools, Section 701-D(2)(A) Accessory Dwelling Units, Section 701-B(11) Commercial Accessory Structure, Article 5, Section 504-A(3)(H) Flag Lots, Article 12, Section 1207-J Parking of Commercial Vehicles, Recreational Vehicles, Boats, Equipment and Trailers, Article 12, Section 1204-B Required Number of Spaces, Article 12, Table 1204-2 Parking Area Dimensions, and Article 12, Section 1207-K Bollards. Bath Township Planning Director informed the members that The Summit County Planning Commission reviewed the proposed amendment on Thursday, June 29, 2023 and approved with due considerations of the Commission comments.

At the Zoning Commission public hearing the Bath Township Planning Director read the proposed amendments into the record. The Commission discussed the amendments and details, and made minor modifications to the language for Flag Lots and Parking of Commercial Vehicles, Recreational Vehicles, Boats, Equipment and Trailers to clarify the intent of the language. After much deliberation, consideration and discussion, a motion and second to approve the proposal was presented and the Commission voted unanimously to approve the text amendments.

On behalf of my fellow members of the Zoning Commission, we submit these proposed necessary amendments with confidence.

Sincerely,

Richard J. Bradner
Bath Township Zoning Commission Chairman

Attachment:
Proposed Zoning Text Amendments