

Bristol Twp. Zoning Commission  
Meeting Minutes August 14, 2019

- 1) The meeting was called to order by Chairman Weeks at 7:00 PM.
- 2) The Pledge of Allegiance was led by Chairman Weeks.
- 3) Roll Call: Present – Mr. Weeks, Mrs. Mastromatteo, Miss Ash, Mrs. Marino. Mr. Weeks appointed Mr. McMonagle to act as a member of the commission as an alternate in the absence of Mrs. Martorana..
- 4) Mr. Weeks read the Public Notice of meeting, posted in the Tribune on August 13, 2019, into the record.
- 5) BTZC-19-27: Motion to approve the minutes from the meeting held on July 10, 2019 was made by Miss Ash.  
Second was made by Mrs. Mastromatteo.  
Discussion: None  
Roll Call: Mr. Weeks – yes, Mrs. Mastromatteo – yes, Miss Ash – yes, Mr. McMonagle – yes, Mrs. Marino – yes.  
The Secretary will forward the approved minutes to the twp. fiscal officer for posting on the twp. web site.
- 6) Attendance: Mrs. Sandy Ash, Mr. Mark Web, Mrs. Ellen Gordon, Mr. Matt Lynn. There were no questions or comments at this time.
- 7) Zoning Inspector Report(s): dated July 16, 2019. A copy of this was sent to us by e-mail.
- 8) BTZC-19-28: Motion to table the addendum to the Zoning Commission letter dated April 7, 2019 that was approved by the Zoning Commission at their meeting on April 10, 2019 to the Bristol Twp. Trustees was made by Mrs. Mastromatteo.  
Second was made by Miss Ash.  
Discussion: None  
Roll Call: Mr. Weeks – yes, Mrs. Mastromatteo – yes, Miss Ash – yes, Mr. McMonagle – yes, Mrs. Marino – yes.
- 9) Discussion on ORC Section 4501.01. Homework. Mrs. Marino found a couple of descriptions that could be put into our Ordinance. She will e-mail those to the others for further discussion.
- 10) Discussion on Section 35: Sign Regulations. Per the discussion at our last meeting we agreed that we would allow via the conditional use certificate any and all electric/electronic signs in the “B” Business and “I” Industrial districts only.  
Note Option 1 was a combination of Elaine’s and Chuck’s thoughts, that we combined.

Bristol Twp. Zoning Commission  
Meeting Minutes August 14, 2019

Option 1: Remove text and add text in Section 35 Sign Regulations, sub-section: General Requirements for all Signs and Districts:

Lighting: Delete paragraphs A and B and add new paragraphs A and B in Green.

A) Movement:

1. No sign shall incorporate scrolling/streaming/moving text or animated images. Nor shall any sign incorporate the illusion of scrolling/streaming/moving text or animated images. These types of signs are prohibited in the "R" and "RA"

districts. (See appendix E)

2. These signs are conditionally permitted (see section 33) in the "B" and "I" districts, special consideration should be given to ensure the signs do not

cause a distraction or nuisance to the residences that are adjacent or bordering the "B" and "I" districts. (See appendix E)

B) Intensity: Any illuminated sign or lighting device shall employ only, light emitting a light of constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving lights, or incorporate reflective materials which imitate or create the illusion of flashing or moving lights.

A) Movement: No sign shall incorporate scrolling/streaming/moving text or animated images. Nor shall any sign incorporate the illusion of scrolling/streaming/moving text or animated images.

1. These types of signs are prohibited in the "R" Residential and "RA" Residential Apartment districts. (See Section 5: Classification of Uses and Appendix E: District Use Table)

2. These signs are conditionally permitted (see section 33: Conditional Use Certificate) in the "B" and "I" districts. Special consideration should be given to ensure the signs do not cause a distraction or nuisance to the residences that are adjacent to or bordering the permitted property.

B) Intensity: Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving lights, or incorporate reflective materials which imitate or create the illusion of flashing or moving lights.

1. These types of signs are prohibited in the "R" Residential and "RA" Residential Apartment districts. (See Section 5: Classification of Uses and Appendix E: District Use Table)

2. These signs are conditionally permitted (see section 33: Conditional Use Certificate) in the "B" and "I" districts. Special consideration should be given to ensure the signs do not cause a distraction or nuisance to the residences that are adjacent to or bordering the permitted property.

Bristol Twp. Zoning Commission  
Meeting Minutes August 14, 2019

- C) Illumination: In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from, to be directed or beamed upon a public thoroughfare, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or other nuisance.

Option 2: Re: Zoning Commission letter dated June 14 from the Zoning Inspector received on or around June 18, 2019. See attached file identified as Section 35: Zoning Inspector.

Option 3: Section 35 Marked up by Kurt Holko. See att. file

BTZC-19-29: Motion to table for a work session was made by Miss Ash.

Second was made by Mrs. Mastromatteo.

Discussion: None

Roll Call: Mr. Weeks – yes, Mrs. Mastromatteo – yes, Miss Ash – yes, Mr. McMonagle – yes, Mrs. Marino – yes.

11) Discussion on Section 19: Zoning Certificate. At the Chairman's request, this item was tabled.

**Adds are green deletes are in red**

**SECTION 19: ZONING CERTIFICATE**

**A.** Before constructing, locating or changing the use of any premises, application shall be made to the Township Zoning Inspector for a Zoning Certificate. The application shall indicate the exact location of the proposed construction, alteration or change of use, and shall include a plot plan. Plans, and specifications showing the proposed locations and dimensions of the building and the proposed use, all of which shall be included in the permanent record of the applications within ten (10) days after receipt of the application. The Zoning Inspector shall issue a Zoning Certificate if the proposed construction, alteration, or change of use by the application complies with the requirements of this resolution and the application is accompanied by the proper fee, or shall refuse the same, if it does not comply.

**B** In the event of an emergency, including fire, windstorm, flood, or other act destroying all or part of the dwelling house, building, or structure, making the same uninhabitable, the zoning regulations herein may be temporarily suspended in-so-far as they may apply, at the discretion of the Zoning Inspector, by permitting a temporary structure to be used in the place of such destroyed building while it is being repaired or replaced. Under said conditions, the Zoning Inspector may permit the use of trailers under 1000 square feet or other building for a six (6) month period.

**C.** A Zoning Certificate when obtained by an applicant shall not be transferred to another person or to another property and the fee paid

Bristol Twp. Zoning Commission  
Meeting Minutes August 14, 2019

therefore shall be non-refundable.

D. The Zoning Inspector shall notify the applicant of any manner in which such application violates any of the terms and conditions of this resolution and the applicant may thereupon amend his application accordingly. If an application is denied by the Zoning Inspector, he shall notify the applicant in writing, setting forth the reasons for such denial. The applicant may present as appeal in accordance with the provisions of this resolution. In the event that the terms and conditions contained in said zoning certificates are not performed or in the event that the terms and conditions contained in said Zoning Certificates are not performed or in the event that the statements made in the application are untrue, said Zoning Certificate may be revoked on the order of the Zoning Inspector and thereupon all work under such revoked permit shall cease. In the event of such revocation, any construction, reconstruction, enlargements, or alterations of any building or structure not in conformity with such revoked permit or this resolution shall be deemed to be in violation of this resolution and shall be removed or restored at the expense of the violator and the cost.

F. A Zoning Certificate shall expire at the end of ninety (90) days from the date of issuance and unless construction, location change of use or alteration of any building or premises is not commenced within said ninety (90) day period, a new application for another Zoning Certificate must be made with the Zoning Inspector. For any renewal, reconstruction, enlargement or other change of any nonconforming use, the owner of the premises must make an application to the Zoning Inspector for a Zoning Certificate.

F. It shall be the sole responsibility of other Record Owner of the real estate to secure any permit zoning certificate required in the Zoning Resolution, regardless of any private contract, lease, or agreement to the contrary enforcement of this Zoning Resolution shall be against the Record Owner of the real estate, and any other interested party.

This discussion was tabled because we had not yet heard back from the Trumbull County Planning Commission.

12 Discussion on revising Section 23 Board of Appeals.

**SECTION 23: BOARD OF APPEALS**

**Adds are in Green**

A. There is hereby created a Board of Zoning Appeals of five (5) members, appointed by the Bristol Township Trustees, who shall be residents of the unincorporated area of the District. The term of each member shall be five (5) years, beginning January 1, except the terms of the original members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexpired term. The Ohio Revised Code

Bristol Twp. Zoning Commission  
Meeting Minutes August 14, 2019

519.13 allows for expenses and compensation as approved and provided by the township trustees.

**B.** The Board of Zoning Appeals shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning laws or of this resolution or any amendments thereto.
2. To authorize, upon appeal, in specific cases, such variance from the terms of this zoning resolution as will not be contrary to the public interest, where owing to special conditions a literal enforcement of this provisions of the resolution or any amendments thereto will result in unnecessary hardship, and so that the spirits of the resolution shall be observed and substantial justice done.
3. Consider applications for Conditional Zoning Certificates. See Section 33.
4. Consider applications for Substantially Similar Uses. See section 34.

**C.** In exercising the above mentioned powers, such Board may, in conformity with the provisions of law and this resolution and amendments thereto, reverse or affirm, wholly or partly, or may notify the order, requirement, decision or determination appealed from and may make such order, requirements, or determination as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken.

**D.** The Board of Zoning Appeals shall organize and adopt rules in accordance with the provisions of this zoning resolution. Meetings of the Board of Appeals shall be held at the call of the Chairman, or in his absence, the Acting Chairman, may administer oaths and the Board of Zoning Appeals may compel the attendance of witnesses. All meetings of the Board of Appeals shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or his absence of failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the Board of Township Trustees and shall be a public record.

**E.** Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or any officer of the Township affected by a decision to the Administrative Officer. Such appeals shall be taken within twenty (20) days after the decision by filing with the Officer from whom the appeal is taken and with the Board of Zoning Appeals a notice of appeal specifying the

Bristol Twp. Zoning Commission  
Meeting Minutes August 14, 2019

grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed was taken.

- F. The Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, giving ten (10) day notice to the parties of interest, and decide the same within thirty (30) days after submitted, upon the hearing, any party may appear in person or by attorney, any person adversely affected by a decision of a Board of Zoning Appeals may appeal to the Court of Common Pleas of this County on the grounds that such decision was unreasonable or unlawful.

This discussion was tabled because we had not yet heard back from the Trumbull County Planning Commission.

- 13) Discussion nuisance abatement, Mowing grass on foreclosed property. See Section 505.87 ORC. Response from Trustees.  
This discussion was tabled.
- 14) Discussion of a letter from the Trustees, dated July 16, 2019, requesting the Zoning Commission review Section 10 Setback Building Lines.
  - A. Email from Jason Toth dated 7.11.2019. The email was forwarded to the members of the Zoning Commission on 7.16.19. and Mark Webb.
  - B. The following reflects the deletion of text requested by the trustees.

**SECTION 10: SETBACK BUILDING LINES**  
**Deletes in Red Adds in Green**

- A. No building or structure or any portion thereof, except steps and uncovered porches less than ten (10) feet in width shall be erected within fifty (50) feet of the right of way sideline of any road or street except on roads where a uniform setback of less than fifty (50) feet has been maintained by a majority of the buildings within one-quarter mile distance on either side of such building.

If a uniform setback of more than fifty (50) feet has been maintained by the majority of the buildings within one-quarter mile distance on either side of such building, then such uniform setback shall be continued.

- B. If there is no established right-of-way sideline for any road or

Bristol Twp. Zoning Commission  
Meeting Minutes August 14, 2019

street, said sideline shall be deemed to be thirty (30) feet from the center of the road.

After much discussion this was tabled for more discussion at a work session.

15) Discussion: Section 18: Zoning Inspector. Add text to confirm who to contact for interpretation of the Bristol Twp. Zoning Ordinance.

A. Example:

**SECTION 18: ZONING INSPECTOR**

A. The position of Zoning Inspector is hereby created. The Zoning Inspector, and such assistants as may be determined necessary, shall be appointed by and serve at the pleasure of the Board of Township Trustees and shall receive such compensation as the Board of Township Trustees may provide. The Zoning Inspector shall keep records of all applications for Zoning Certificates and the action taken thereon. These records shall include dates of such applications and actions.

B. ~~The Zoning Inspector shall be the point of contact for inquiries requiring interpretation of the Bristol Twp. Zoning Ordinance.~~

This was tabled for further discussion.

16) At a recent seminar on zoning, it was learned that wind power and solar power were “coming”. We currently have Section 36: Wind Turbines. This section is for the private use of a wind turbine. Wind turbine farms are not covered in our zoning ordinance. Should they be? Solar panels located on homes mounted on the ground or in some other manner, are not covered by our zoning ordinance. Should they be?

It was decided that we may look into this at a later date but not at this time.

17) Appendix C

BTZC-19-30: Motion to revise Appendix C: Zoning Ordinance Revision Dates, with the addition of Appendix J: List of Conditional zoning Certificate Approval was made by Mrs. Mastromatteo.

Second was made by Miss Ash.

Discussion: None

Roll Call: Mr. Weeks - yes, Mrs. Mastromatteo – yes Miss Ash – yes, Mr. McMonagle – yes, Mrs. Marino – yes.

The chairman will forward the appropriate information to the trustees for their consideration

18) Appendix E: Bristol Twp. District Use Table. Add Electronic Message Center

19) Review Calendar

**Adds are green deletes are in red**

Bristol Twp. Zoning Commission  
Meeting Minutes August 14, 2019

*Quarterly/Regular Meetings 2019	Work Sessions	Public Hearings
*January 9	February 13	
*April 10	March 13	
	May 8	
June 12		
*July 10		
August 14	September 4	August 28
September 11	November 13	
*October 9	December 11	

The chairman will get with the Fiscal Officer to confirm the date.

- 20) BTZC-19-31: Motion to adjourn was made by Miss Ash.  
 Second Was made by Mrs. Mastromatteo.  
 Roll Call: Mr. Weeks – yes, Mrs. Mastromatteo – yes, Miss Ash – yes, Mr. McMonagle – yes, Mrs. Marino – yes.

Meeting adjourned at 8:10 PM.

Submitted by Carolyn Marino, Secretary.