

Bristol Twp. Zoning Commission  
Third Quarter Meeting July 10, 2019

- 1) Meeting was called to order by Chairman Weeks at 7:00 PM.
- 2) Pledge of Allegiance was led by Mr. Weeks
- 3) Roll Call: Present – Mr. Weeks, Mrs. Mastromatteo, Miss Ash, Mrs. Marino  
Mr. McMonagle was appointed 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 July 9, 2019 into the record.
- 5) BTZC-19-21: Motion to approve the minutes from the meeting held on June 12, 2019 was made by Mrs. Mastromatteo.  
Second was made by Mr. McMonagle.  
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 o the twp. web site.
- 6) Attendance: Mr. Kurt Holko, Mrs. Sandy Ash, Mrs. Ellen Gordon & Mr. Mark Web.
- 7) Zoning Inspector Report(s): dated June 18, 2019.  
Zoning Inspector requests. Mrs. Gordon sent letters suggesting changes to Sections 23 and 35 of the Bristol Township Zoning Ordinance. See discussions below.
- 8) Chris Ash to report on addendum to the Zoning Commission letter dated April 7, 2019. At the chairman’s request, this item was tabled.
- 9) Discussion on ORC Section 4501.01. Tabled from the April 10th meeting and the discussion from our work session on May 8<sup>th</sup> and meeting on June 12th.  
Mr. Weeks handed out pages of definitions from the ORC for us to check them with our Ordinance and see if there were any we need to add, delete or change.
- 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. We are to look these over and make a document taking into account some or all of these options for revision. These will be looked over at our next meeting.  
Note: Option 1 was a combination of Elaine’s and Chuck’s thoughts, that we combined.

Bristol Twp. Zoning Commission  
Third Quarter Meeting July 10, 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  
Third Quarter Meeting July 10, 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. You should have your own hard copy.

11) Discussion on Section 19: Zoning Certificate was tabled from the June 12th meeting.

Revise Section 19: Zoning Certificate: add alphabet letters to each paragraph, add the text in new paragraph F, and delete the word permit and add the word certificate in paragraph G. It was discussed that since there was a letter given with the certificate to send to the Fire Department when they moved in, there was no need to add a paragraph F to this section. Paragraph G would become paragraph F.

**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

Bristol Twp. Zoning Commission  
Third Quarter Meeting July 10, 2019

transferred to another person or to another property and the fee paid 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 of 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.

BTZC-19-22: Motion: Revise Section 19 Zoning: add alpha letters to each paragraph as a identifier and revise paragraph F by changing the word permit to zoning certificate was made by Miss Ash.

Second was made Mrs. Mastromatteo.

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 documents to the Trumbull County Planning Commission for their review.

- 12) BTZC-19-23: Motion to revise Appendix B: Zoning Variances to reflect the action of the Board of Appeals in granting a variance on June 20, 2019 for setback was made by Mrs. Mastromatteo.

**Appendix B**  
**Add in green**  
**List of Zoning Variances**

Effective Date	Address	Reason
June 9, 2010	7001 St Rt 45	Side yard clearance
August 13, 2014	6000 St Rt 45	Parking spaces
June 20, 2019	564 Housel Craft Rd	Set back line

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.

- 13) Discussion on revising Section 23 Board of Appeals.  
Request from the Zoning Inspector.

**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 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.

Bristol Twp. Zoning Commission  
Third Quarter Meeting July 10, 2019

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 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.

Bristol Twp. Zoning Commission  
Third Quarter Meeting July 10, 2019

BTZC-19-24: Motion to approve the addition of alpha letters to Section 23: Board of Appeals, at the beginning of each paragraph, as an identifier, and to add text to paragraph B 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 chairman will forward the appropriate documents to the Trumbull County Planning Commission for their consideration.

14) Discussion on junk vehicle nuisance abatement, junk vehicles. It was decided that we would continue our discussion on this matter at a later date.

15) Review the calendar.

*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 11	November 13	August 28
*October 9	December 11	

16) At a recent trustee meeting, a discussion occurred concerning the use of the “time frame of 30 days” Both Mr. McMonagle and Mrs. Marino stated that they could not find a reference to any time frame of 30 days in the ORC.

17) 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. It was decided that we could look into Wind Turbine Farms and home Solar Panels at a later date, but not at this time.

18) Section 10: Setback Building Lines is a future topic for discussion. We will receive the trustees formal request at their meeting on July 16. I will request an electronic file.

19) Discuss the creation of an appendix to track Conditional Use zoning certificates:

## Appendix J

### Public Record of Conditional Zoning Certificates See Conditional Zoning Certificate Section 33.4 and 33.5

Effective Date	Name	Reason

Bristol Twp. Zoning Commission  
Third Quarter Meeting July 10, 2019

BTZC-19-25: Motion to approve Appendix J: Record of Conditional Zoning Certificates was made by Mrs. Mastromatteo.

Second was made by Mrs. Marino.

Discussion: The appendix will include the 5 certificates approved on May 29, 2019.

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

The chairman will forward the appropriate documentation on to the trustees for their consideration.

20) BTZC-19-26: Motion to adjourn was made by Mrs. Mastromatteo.

Second was made by Miss Ash.

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

Meeting adjourned at 8:25 PM

Recorded by Carolyn Marino, Secretary