093

PUBLIC HEARING PROCEEDINGS

The Granger Township Board of Trustees met for a properly advertised Public Hearing Session on Wednesday, April 9, 2025, 3:30 PM, at the Granger Township Administration Building, 3717 Ridge Rd., Medina. In attendance were Trustees: Richard L. Pace, Chair, John H. Ginley, Jr. and Teri A. Berry and Fiscal Officer Donald L. Baker.

CALL TO ORDER: The meeting was opened at 3:30 PM by Trustee Richard Pace.

<u>OPENING OF THE PUBLIC HEARING AND HEARING TOPIC:</u> Mr. Pace opened the Public Hearing. The purpose of the hearing is to consider:

Text Amendments: <u>To Establish Specific Accessory Building Regulations for Subdivisions in the R-1 District via Amendments to Article II: General Provisions, Section 207 and Related Amendments to Definitions (Article X), District Regulations (Article III) and General Provisions (Article II).</u>

The Zoning Commission has made and unanimously passed a motion to recommend adoption of the proposed text amendments to Section 207: Accessory Buildings in a Subdivision.

CALL FOR ABSTENTIONS: Mr. Pace asked if there were any abstentions. There were none.

<u>PRESENTATION OF THE CHANGES BY KRISTIN HOPKINS OF PLANIT CONSULTING:</u> Ms. Hopkins reviewed the proposed changes contained within the "red-lined" copy of the proposal (Exhibit A).

ADDITIONAL COMMENTS FROM MS. HOPKINS: Ms. Hopkin's additional comments are contained in Exhibit B.

COMMENTS FROM ZONING INSPECTOR MICHAEL MOEHRING: Mr. Moehring no comments

<u>COMMENTS FROM OTHER TOWNSHIP OFFICIALS:</u> There were no comments from other Township Officials.

<u>PUBLIC COMMENTS IN FAVOR OF THE PROPOSAL:</u> There were no comments in favor of the proposal.

<u>PUBLIC COMMENTS OPPOSED TO THE PROPOSAL:</u> There were no comments opposed to the proposal.

STATEMENTS OR QUESTIONS FROM THE BOARD: The were no statements or questions from the Board.

FINAL STATEMENTS OR QUESTIONS: None.

<u>CLOSE/CONTINUE THE PUBLIC PORTION OF THE HEARING:</u> Mr. Pace requested a motion to close the public portion of the Hearing.

A **MOTION** to close the public portion of the Hearing, was set forth and moved to be adopted by, Mr. Ginley duly seconded by Mrs. Berry.

Voting "aye" thereon: Mr. Ginley, Mr. Pace, and Mrs. Berry.

<u>DELIBERATION:</u> Mr. Pace commended the Zoning Commission for its efforts with this review and recommendations.

Mrs. Berry noted she had discussed her thoughts with Ms. Hopkins. Ms. Hopkins noted she had prepared edits to the proposal addressing Mrs. Berry thoughts (Exhibit C).

PUBLIC HEARING PROCEEDINGS

094

Minutes of

Meeting

	Meet:
HF AI-	4 GRAPHICS 800 325-8094 FORM NO 10148
- 1	April 9, 2:
	Mr. Pace commented he would prefer the Exemptions Section specifically address Energy and Gas and Public Utility and Railroad Exemptions as it does in the current proposal. After some discussion, Ms. Hopkins was requested to develop language to achieve this.
	RECOMMENDATION: No additional recommendations, other than those cited above, were forthcoming.
	TRUSTEE ACTION: After further discussion, the Board decided to continue the Hearing to April 28, 2025 at 7:00 PM. Mr. Pace requested a motion to continue the Public Hearing.
	A MOTION to continue the Public Hearing to April 28, 2025 at 7:00 PM, was set forth and moved to be adopted by, Mr. Ginley duly seconded by Mrs. Berry.
	Voting "aye" thereon: Mr. Ginley, Mr. Pace, and Mrs. Berry.
Andrews	Mr. Pace then recessed the Public Hearing at 3:55 PM.
	With no further business to discuss a MOTION was set forth and moved for recess.
	We, the Granger Township Board of Trustees do hereby certify the foregoing Minutes to be a true and correct copy of the proceedings before this Board at its Public Hearing on Wednesday, April 9, 2025.
	Richard L. Pace, Trustee Chairperson John H. Ginley, Jr, Trustee Vice Chairperson

Exhibit A Hearing of April 9, 2025

13 Total pages

GRANGER TOWNSHIP ZONING RESOLUTION AMENDMENTS

Recommended by Zoning Commission, 2/11/25.

To Establish Specific Accessory Building Regulations for Subdivisions in the R-1 District.

Amendments to:

ARTICLE II: GENERAL PROVISIONS
Section 207 Accessory Uses and Structures

And Related Amendments to the following articles:

ARTICLE X: DEFINITIONS (with related Appendix B Illustrations)

ARTICLE III: DISTRICT REGULATIONS

ARTICLE II: GENERAL PROVISIONS

Section 204. Regulations Applicable to All Districts

CHANGES NOTED. AMENDED TEXT Is Indicated as Follows:

Red underline = text to be added

Strikethrough = existing text to be deleted

ARTICLE II: GENERAL PROVISIONS

Amendments to Section 207 Accessory Uses and Structures

To establish specific accessory building regulations for subdivisions in the R-1 District to be amended to read as follows:

207 Accessory Buildings, and Structures, and Uses.

A. Fences, Walls, and Hedges.

Fences, walls, pillars, gates and hedges may be permitted along all lot lines. Gates and pillars, whether or not associated with a fence or wall, shall be located a minimum of twenty (20) feet from the right-of-way line whenever the street right-of-way width is less than sixty (60) feet, and a minimum of thirty (30) feet from the right-of-way line whenever the street right-of-way width is sixty (60) feet or more. Any All fences, walls, pillars, gates and hedges shall be well maintained, will shall be harmonious and appropriate in appearance with the existing character of the immediate area in which it is to be located, and will-shall not be hazardous.

B. Commercial and Industrial Accessory Buildings (C-1, C-2, C-3 and I-1 Districts).

- 1.2. Accessory buildings shall not be attached to which are not a part of the main principal building, shall not be located closer than twenty-five (25) feet from to the main principal building, and shall be located no less than fifteen (15) feet behind the front line of the main principal building.
- 2.1. Any accessory building addition or structure attached to the principal building on a lot-shall be made structurally a part thereof, and shall comply in all respects with the requirements of this Resolution applicable to the principal building.
- 3. Accessory buildings shall not be located closer to lot lines than... (no change)
- 4. An accessory building or buildings shall not occupy more than... (no change)
- 5. Accessory buildings shall be limited to thirty (30) feet in height. (no change)

C. Residential Accessory Buildings (R-1 and R-2 Districts).

- 1. Accessory buildings in the R-1 and R-2 districts shall require a zoning permit and shall conform to the following <u>regulations</u> maximum square footage limitations:
- 2. Size and Location Requirements for Accessory Buildings in a Major Subdivision in an R-1 District.
 - a. These regulations apply to accessory buildings on a lot that meets all the following conditions:

- 1) The lot is in a major subdivision as defined by the Medina County Subdivision Regulations: and
- 2) The lot is not greater than five (5) acres; and
- 3) The lot has frontage on and access to a residential subdivision street.
- b. Accessory buildings shall comply with the following regulations, except when authorized as a conditional use:
 - 1) Maximum Area of a Building: The area of an accessory building shall not exceed one thousand five hundred (1.500) square feet or the ground floor area of the principal building footprint, whichever is less.
 - 2) Total Maximum Area: The total area of all accessory buildings shall not exceed one thousand eight hundred (1.800) square feet or the ground floor area of the principal building footprint, whichever is less.
 - 3) Maximum Height: The height of an accessory building shall not exceed sixteen (16) feet above the average finished grade of the accessory building or the height of the principal building, whichever is less.
 - 4) No accessory building larger than three hundred (300) square feet shall have one or more doors that face the street, unless such door(s) are screened from view from the street and the height of the doors does not exceed eight (8) feet. Screening by a wall, fence, evergreen trees, or any combination thereof shall be not less than six (6) feet in height, shall be continually maintained, and shall be promptly restored when necessary.
- 3. Size and Location Requirements for Accessory Buildings on Lots not Governed by Subsection 207.C.2., above. Accessory buildings shall comply with the following regulations, except when authorized as a conditional use:
 - a. Maximum Area:
 - 1) For lots of less than two (2) acres, the total square footage of all accessory buildings shall not exceed two percent (2.4%) of the lot area.
 - 2)b. For lots of two (2) acres or greater, the total square footage of all accessory buildings shall not exceed two percent (2.3%) of the lot area or four thousand five hundred (4,500) square feet, whichever is less.
 - b4. Maximum Height: Accessory buildings shall not exceed thirty (30) feet in height above the average finished grade of the accessory building or the height of the principal building, whichever is less, except as otherwise permitted by ORC §519.21 for buildings or structures accessory to an exempt agricultural use.
 - c. For lots-exceeding five (5) acres, the Board of Zoning Appeals may grant a conditional use permit allowing the total area of all accessory buildings to exceed five thousand (,5,000) square feet, based on the location of the

- buildings, setback from adjacent properties and existing or proposed screening
- 4. As a conditional use, the Board of Zoning Appeals may consider an accessory building that does not comply with the regulations of Subsection 207.C.2. or 207.C.3. when the Board of Zoning Appeals determines the accessory building complies with the applicable regulations in Article V and with the following requirements:
 - a. The accessory building shall incorporate materials, scale, colors, architectural details, and roof slopes that are compatible with the principal building.
 - b. As an alternative to Subsection 207.C.4.a., the accessory building shall not be generally visible from the street nor from adjacent properties due to the extent of existing or proposed landscaping, or the size, shape or topography of the lot.
 - c. In all cases, the Board of Zoning Appeals shall consider the proposed accessory building's compatibility with the size and location of houses and other accessory structures in the surrounding area, the location of the proposed accessory building on the lot, setback from adjacent properties and existing or proposed screening.
- 5.d. In no case shall the total area of accessory buildings and structures occupy an area greater than ten percent (10%) of the yard area in which they are located.
- 6.3. All aAccessory buildings which are not attached to the principal building shall comply with the following additional requirements:
 - a. Shall not be located closer than twenty-five (25) feet to the principal building;
 - b. Shall be located in a rear <u>or side yard</u>, <u>or a side</u>, no less than fifteen (15) feet behind the front <u>building line of the principal building</u>;
 - c. Shall comply with the minimum side and rear setback requirements for principal buildings for the zoning district in which they are located; and
 - d. Shall be located no closer than one hundred (100) feet from any principal building on an adjacent lot. The measurements shall be taken from the closest points of each building.
- 7.2. Any accessory building addition or structure attached to a principal building shall be made structurally a part thereof and shall comply in all respects with the requirements of this Resolution applicable to the principal building.

ARTICLE X: DEFINITIONS

Amendments to add, delete, or modify various definitions, to read as follows:

Accessory Building: A subordinate building detached from the principal building and located on the same lot. Its use is customarily incidental to the principal building or use, such as but not limited to a detached garage or storage shed.

Accessory Building or Use: A subordinate building or use that is subordinate and customarily incidental to the principal use, detached from, and located on, the same lot, occupied by the main building and use.

Buildable Area: The net area of the lot which remains after all required yards have been applied. (See also Appendix B)

Building Line: An imaginary line drawn parallel to the street right-of-way, representing the shortest horizontal distance between the street right-of-way line and the front wall of the principal building and having the same depth across the width of the lot. The term "building line" shall also include "front building line." The rear line of the front yard along a street frontage shall be considered the building line. (See also Appendix B)

Lot Area: The area contained within the lot lines exclusive of any portion that may be located within a public right-of-way.

Lot Width: The horizontal distance between the side lot lines of a lot measured at the required setback building line that is parallel to the front lot line.

Minimum Building Setback Lines: A line established by this zoning resolution in back of, and parallel with and measured perpendicular from the lot line, defining the limits of the required yard in which no building or structure may be located above ground, except as may be provided in this zoning resolution. The term "setback line" shall also include "required setback line" and "minimum setback," to the street right of way line and at such distance from the street right of way line as required by the minimum front yard depth in the district in which it is located. Where the right-of-way line is not established it shall be assumed to be sixty (60) feet in width. (See also Appendix A for street the right-of-way width for streets in Granger Township and Appendix B)

Setback Line: The rear line of the front yard along a street frontage shall be considered the setback line. (redundant with existing definition for Minimum Building Setback Lines)

Setback: The distance a building or structure is located from a lot line or road right-of-way. (See also Appendix B)

Yard, Front: A yard extending across the full width of the lot and extending from the street right-of-way line to the building line. front of a lot between the side yard lines and being the minimum horizontal distance between the street line and the main building or projection thereof. (See also Appendix B)

Yard, Rear: A yard extending across the full width of the lot and extending from the rear lot line to the nearest facing wall of the principal building and projecting therefrom perpendicular to the side lot line, of a lot measured between the side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any other projection than steps. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall in all cases be the opposite end of the lot from the front yard. (See also Appendix B)

<u>Yard, Required.</u> The minimum yard required between a lot line and a required setback line established by the applicable provisions of this zoning resolution. The term "required yard" shall also include "minimum yard." (See also Appendix B)

Yard, Side: A yard between the main principal building and the side lot lines of the lot and extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall be deemed a "side yard." (See also Appendix B)

Illustrations related to amendments to Definitions.

The following illustrations are to be added as Appendix B following Article X: Definitions and Appendix A. Granger Township Roads.

Appendix B. Illustrations Related to Setbacks and Yards.

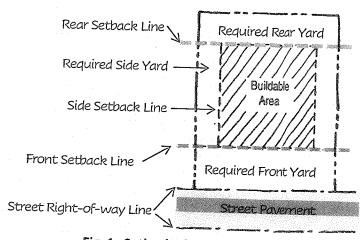


Fig. 1. Setbacks for Typical Rectangular Lot

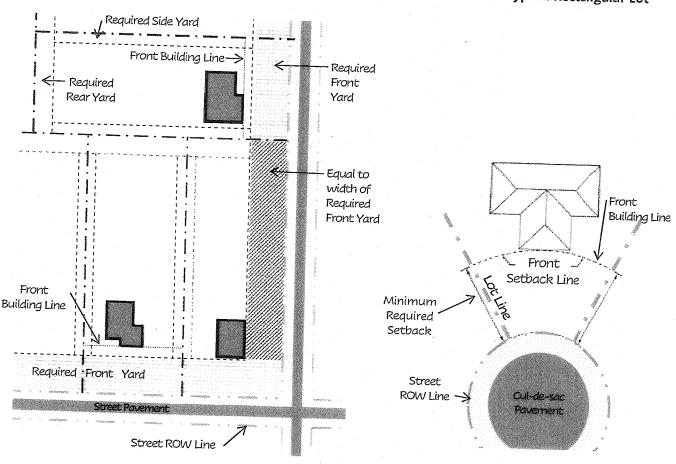
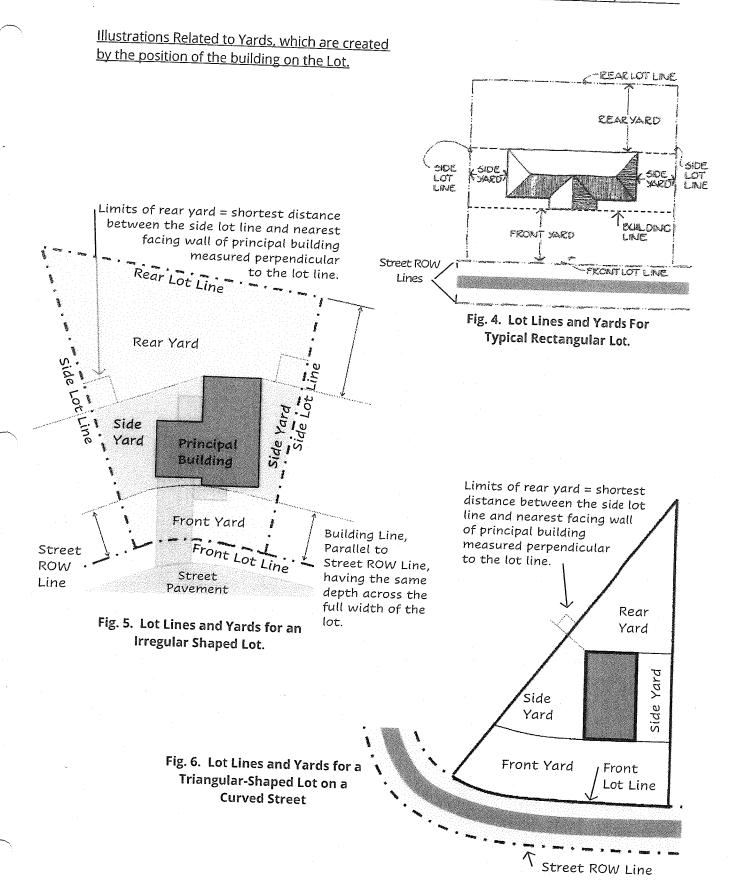


Fig. 2. Front Setback required for Corner Lots, see Section 205.D.1

Fig. 3. Front Setback Line along Curve, Parallel to Front Lot Line



ARTICLE III: DISTRICT REGULATIONS

Amendments to Sections 301 through 307

To modify various subsections to ensure consistent use of terms throughout Article III District Regulations in Sections 301 through 307, to read as follows:

301 R-1 Residential District

- C. Area, Yard, and Height Regulations
 - 2. Minimum Front Yard Depth. The minimum front yard depth distance of set-back from street right-of-way-shall not be less than seventy (70) feet.

302 R-2 Residential District

- C. Building Setbacks, Separations And Height
 - 1. Minimum Front Setback. The minimum building front setback, measured from the edge of the private street or roadway pavement shall be twenty-five (25) feet.
 - **3. Property Line Setback.** No building shall be located closer then than thirty (30) feet to any property boundary line of the condominium project.

303 C-1 Local Commercial District

- C. Area, Yard, and Height Regulations
 - 3. Minimum Lot Width. The minimum lot width at the <u>building front setback</u> line shall be one hundred seventy-five (175) feet.

- D. Parking and Loading Requirements
 - 1. Parking
 - b. Minimum Setbacks.
 - 1) The <u>minimum</u> front yard parking setback measured from the road right-of-way shall be twenty (20) feet.

- 2) The minimum rear yard parking setback shall be forty (40) feet.
- 3) The minimum side yard parking setback shall be fifteen (15) feet.
- G. Landscaping Standard
 - 5. Landscape Material Quantity Standards *****
 - c. Perimeter Side and Rear Yard Landscaping Relating to Abutting Properties
 - 2) The following minimum plant materials shall be provided and maintained:
 - a) ****
 - b) One (1) shrub for each 15 linear feet in front of the building.
 One one (1) shrub for each ten (10) linear feet of side and rear lot lines or fraction thereof in all other the side and rear yards.
- 304 C-2 General Commercial District
 - C. Area, Yard, and Height Regulations
 - 3. Minimum Lot Width. The minimum lot width at the building front setback line shall be one hundred seventy-five (175) feet.
 - D. Parking and Loading Requirements
 - 1. Parking
 - b. Minimum Setbacks.
 - The <u>minimum</u> front yard parking setback measured from the edge of right-of-way or easement of any public street, private street, or shared access easement shall be twenty (20) feet.
 - 2) The <u>minimum</u> rear yard parking setback adjacent to C-1, C-2, C-3, and I-1 Districts shall be ten (10) feet. The <u>minimum</u> rear yard parking setback adjacent to R-1 and R-2 Districts shall be thirty (30) feet.

The minimum side yard parking setback adjacent to C-1, C-2, C-3, and I-1 Districts shall be five (5) feet. The minimum side yard parking setback adjacent to R-1 and R-2 Districts shall be twenty (20) feet.

- Display and Storage
 - 1. Outdoor Display Areas ****
 - b. Outdoor display shall not be located in the required landscaped portion of the minimum front setbackyard, within required side yards, or on required parking spaces.

- G. Landscaping Standard ****
 - 5. Landscape Material Quantity Standards ****
 - c. Perimeter Side and Rear Yard Landscaping Relating to Abutting **Properties** ****

- The following minimum plant materials shall be provided and maintained:
 - a) ****
 - One (1) shrub for each 15 linear feet in front of the building b) setback line, one One (1) shrub for each ten (10) linear feet of side and rear lot lines or fraction thereof in all other the side and rear yards.

305 C-3 Commercial District

- C. Area, Yard, and Height Regulations ****
 - 3. Minimum Lot Width. The minimum lot width at the building front setback line shall be one hundred seventy-five (175) feet. ****
- D. Parking and Loading Requirements
 - 1. Parking ****

c. <u>Minimum</u> Setbacks.

- 1) The <u>minimum</u> front yard parking setback measured from the edge of right-of-way or easement of any public street, private street, or shared access easement shall be twenty (20) feet.
- 2) The <u>minimum</u> rear yard parking setback adjacent to C-1, C-2, C-3, and I-1 Districts shall be ten (10) feet. The <u>minimum</u> rear yard parking setback adjacent to R-1 District shall be thirty (30) feet.
- 3) The <u>minimum</u> side yard parking setback adjacent to C-1, C-2, C-3, and I-1 Districts shall be five (5) feet. The <u>minimum</u> side yard parking setback adjacent to R-1 District shall be twenty (20) feet.

306 I-1 Industrial Commercial Districts

- C. Area, Yard, and Height Regulations
 - 1. **Minimum Lot Size**. The minimum lot size shall be five (5) acres with a minimum of four hundred (400) feet of road frontage and a minimum lot width of <u>four hundred (400)</u> feet measured at the <u>front setback line</u>.

307 PDD Planned Development District *****

- D. Development Standards
 - 1. <u>Minimum</u> Building and Parking Setbacks *****

ARTICLE II: GENERAL PROVISIONS

Amendments to Section 204 Regulations Applicable to All Districts

To add a **new Subsection E.** to list the various use exemptions defined by the Ohio Revised Code, including the specific exception to the agricultural exemption, which enables townships to regulate agricultural uses and associated structures (barns, stables, etc.) on lots less than five acres when located in a platted (major) subdivision, to read as follows:

204 Regulations Applicable to All Districts

- A. Permitted Uses. (no change)
- B. Prohibited Uses. (no change)
- C. Uses Determined to be Nuisance. (no change)
- D. Accessory Uses. (no change)

E. Exemptions.

- 1. Agricultural Use Exemption. Agricultural uses, and buildings and structures that are incident to agricultural uses, shall be exempt from the requirements of this zoning resolution, except for agritourism (which shall be governed by Section 210). Property owners shall not be required to obtain a zoning certificate when the parcel on which the use is located meets the conditions set forth in ORC §519.21(A) and (B) and summarized below.
 - <u>a</u>. <u>Parcels with a lot area of five (5) acres or more:</u>
 - b. Parcels of less than five (5) acres located in a nonresidential zoning district;
 - C. Parcels of less than five (5) acres located in a residential zoning district except as permitted for parcels in a platted subdivision, or in any area consisting of fifteen (15) or more lots approved under ORC §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.
- 2. Energy and Gas Exemption. Qualifying energy and gas production on land devoted exclusively to agricultural use in accordance with ORC §519.21(C)(2) and (C)(3) shall be exempt from the requirements of this zoning resolution.
- 3. Public Utility and Railroad Exemption. Public utilities and railroads as defined by the ORC (whether publicly or privately owned) or the use of land by any public utility or railroad for the operation of its business shall be exempt from the requirements of this zoning resolution except as otherwise set forth in ORC §519.211.

Granger Township

History / Purpose of Proposed Text Edits to Accessory Building Regulations

For Granger Township Trustees Consideration Prepared by Kristin Hopkin, FAICP 4/9/25

- January 2024, Township Zoning Department received complaints regarding a new accessory building in an existing subdivision. The Zoning Department investigated the complaint, compared the proposed accessory building to the regulations in effect and determined that the size, height and location of the accessory building complied with the regulations.
- Based on the number of complaints, the trustees asked the Zoning Commission to research/review how other area townships dealt with accessory buildings, and to determine appropriate changes to the zoning resolution.
- Analysis of existing accessory buildings in the specific subdivision where the complaint occurred indicted that the average size of accessory buildings was 1,062 sq ft, and only two accessory buildings out of the 25 analyzed exceeded 1,500 sq ft.
- Proposed amendments include provisions that:
 - o Distinguish between accessory buildings on lots in an R-1 platted subdivision (major subdivision) vs lots not in an R-1 platted subdivision. This type of distinction is similar to the way the Ohio Revised Code permits townships to regulate agricultural uses and buildings in platted subdivisions (ORC Sec. 519.21(B)).
 - Ensure that residential accessory buildings are subordinate to the house (principal building) by restricting the height of accessory buildings to not exceed the height of the principal building. This restriction is proposed for all lots in the R-1 and R-2 Districts.
 - Enable the Board of Zoning Appeals (BZA) to grant exceptions to the accessory building regulations as a conditional use (and not as a variance). In such case, the BZA is to "consider the proposed accessory building's compatibility with the size and location of houses and other accessory structures in the surrounding area, the location of the proposed accessory building on the lot, setback from adjacent properties and existing or proposed screening." This would allow the BZA to consider the unique characteristics of the lot and location of the house but would not have to find that the application meets the practical difficulty test required for granting variances.
 - Update/clarify definitions of terms applicable to accessory buildings and include diagrams of key terms to ensure consistency.
 - Provide consistent use of terms throughout the district regulations.
 - In Section 204, Regulations Applicable to All Districts, the proposed text specifically refers to the Ohio Revised Code, Section 519.21, which states that in most cases townships do not have the power to prohibit agricultural uses or ag-related buildings. One of the exceptions is in platted subdivisions on lots that are less than 5 acres.

Exhibit C Hearing of April 9,2025

Granger Township Zoning Resolution Amendments Suggested Edits in Response to Trustee Berry's Questions 3/31/25

1 Page

1. To clarify that total square footage permitted for accessory buildings is ground floor area, add "ground floor" as noted below:

207 C. Residential Accessory Buildings (R-1 and R-2 Districts).

Subsection 2. Size and Location Requirements for Accessory Buildings in a Major Subdivision in an R-1 District.

- b. Accessory buildings shall comply.....:
 - 1) Maximum Ground Floor Area of a Building: The ground floor area of an accessory building shall not exceed one thousand five hundred (1,500) square feet or the ground floor area of the principal building footprint, whichever is less.
 - 2) Total Maximum Ground Floor Area: The total ground floor area of all accessory buildings shall not exceed one thousand eight hundred (1,800) square feet or the ground floor area of the principal building footprint, whichever is less.

Subsection 3.a. Size and Location Requirements for Accessory Buildings on Lots not Governed by Subsection 207.C.2., above....

- a. Maximum Ground Floor Area:
 - 1) For lots of less than two (2) acres, the total ground floor square footage of all accessory buildings shall not exceed two percent (2.0%) of the lot area.
 - 2)b. For lots of two (2) acres or greater, the total ground floor square footage of all accessory buildings shall not exceed two percent (2.0%) of the lot area or four thousand five hundred (4,500) square feet, whichever is less.

Subsection 5. In no case shall the total ground floor area of accessory buildings and structures occupy an area greater than ten percent (10%) of the yard area in which they are located.

2. To simplify the reference to the ORC's agricultural exemption, replace the proposed Section 204.E., subsections 1. Agriculture, 2. Energy & Gas, and 3 Public Utility & Railroad with the text below.

Section 204 Regulations Applicable to All Districts...

E. Agricultural Use Exemption. Except as otherwise provided in ORC §519.21 divisions (B) and (D), this Resolution does not apply to agricultural uses, and buildings or structures that are incident to agricultural uses, and property owners shall not be required to obtain a zoning permit for such uses.