

SUMMIT TOWNSHIP SUPERVISORS

Public Hearing

JUNE 18, 2018

Chairperson Lee called a public hearing of the Board of Supervisors to order at 6:00 p.m. followed by the salute to the flag. Supervisors Welka and Davis were present, as were, Solicitor Christopher Sennett, Zoning Officer Miller, Engineer Jonas, Secretary Yeast, and twenty interested persons.

CALL TO ORDER

Zoning Administrator Miller explained that it is a lengthy process to amend the Zoning Ordinance. It has taken approximately 1-1/2 years of on-going discussions with the Planning Commission and Board of Supervisors. The final proposed amendments were reviewed by the Summit Township Planning Commission on May 14, 2018 and recommended for approval with a 4/2 vote. Erie County Planning was presented with the proposed amendments on May 16, 2018 and the review period expired with no comment.

PURPOSE OF HEARING: Various Zoning Ordinance Amendments

Solicitor Sennett reviewed the substance of each revision with a visual presentation on the overhead screen.

Glen McDonald, the owner of the Summit Heights Mobile Home Park (MHP) requested clarification of the Mobile Home Park Ordinance Section 803.9 regarding side yard setbacks, and the requirements of the Zoning Ordinance Section 602.2 also regarding side yard setbacks. Mr. McDonald further expressed dismay that a Planned Residential Development (PRD) is treated differently than a MHP, allowing homes to be much closer in the PRD.

PUBLIC INPUT

Zoning Administrator Miller responded that the proposed amendment to the Zoning Ordinance Section 602.2 clarifies the definition of a structure and specifies sheds, decks, and patios as being structures, adding that these items have always been considered structures, the revised ordinance simply now lists them. The MHP Ordinance sets standards for how a MHP can be developed and specifies the various requirements for construction and placement of mobile homes. The Zoning Ordinance applies to all properties in Summit Township. A PRD is an appendix of the Zoning Ordinance and is a Zoning District. MHPs are located within specific Zoning Districts.

Mr. McDonald expressed concern that there may be some building violations involving decks that have never been a problem in the past.

Supervisor Lee noted that Summit Heights is a nice neighborhood and well maintained. Lee added that setbacks have to be considered when building decks because two decks side by side may limit access to emergency vehicles.

Supervisor Welka confirmed that Mr. McDonald is the property owner.

Zoning Administrator Miller added that the land owner is the responsible party to ensure that municipal regulations are complied with. In the instance that caused Glen McDonald to raise these issues, the deck in question was higher than 30" and less than 20 feet from the adjacent mobile homes. The deck would have required both a zoning permit and a building permit, of which neither had been obtained. Miller expressed support for the Uniform Construction Code (UCC) recently adopted because it ensures the homeowner gets a quality product.

Mr. McDonald added that he has and will abide by the law as he understands it, but expressed concern for financial consequences for his tenants if existing decks are determined to be in violation.

Miller responded that he will need to determine the extent to which violations exist and that the Board of Supervisors will need to conclude what to do with existing violations, but no new building permits will be issued if construction does not meet required setbacks.

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Discussion ensued as to an amendment to the Subdivision, Land Development and Mobile Home Park Ordinance.

Supervisor Lee stated that they will look to begin the process to amend the Subdivision, Land Development and Mobile Home Park Ordinance.

Discussion ensued regarding variances and the cost of obtaining a variance.

With no further input from the public, motion by Welka, seconded by Davis to close the Public Hearing at 4:54 p.m.

HEARING CLOSED

Respectfully submitted,

Christene S. Yeast
Recording Secretary
6/25/2018