App. No. 096-2021-TA

Zoning Text Amendments

Harrisville Township

Meeting: April 6, 2022
Applicant: Harrisville Township
Hearing: TBD
Amendments: Revisions

Section 401	R-1 Residential District
Section 402	B-1 Business District
Section 403	Highway Service Business District
Section 404	Industrial District
Section 405	M Multi-Use District
Section 410	Home Occupation
Section 501	Non-Conforming Uses

Reviewer: Rob Henwood
Recommendation: **APPROVE WITH MODIFICATIONS**

Proposal: Tom Guggenbiller, Harrisville Township Zoning Inspector, requested a review of proposed revisions in several sections in the Harrisville Township Zoning Resolution. Township revisions are shown in red with new text as underlined and deleted text as strike-through. Department of Planning Services (DPS) staff comments are shown black as ***bold and italics***.

Revisions in Section 401 Residential Districts

Section 401.2 Conditionally Permitted Uses

~~d.) Recreational uses other than those governmentally owned or operated subject to Subsections 802.102, 802.103, 802.105, 802.106, 802.107, 802.113, & 802.121.~~

~~e.) Strip and open pit mining or extraction operations for sand, clay, gravel, and other natural resources subject to Subsections 802.107, 802.117, 802.119, 802.120, 802.121, and 802.126.~~

Revisions in Section 402 Business District

Section 402-2.A Permitted Uses

2. Establishments engaged in providing a variety of services to individuals and business establishments such as personal services, miscellaneous business services, medical and health services, engineering and architectural services, legal services, accounting, auditing and bookkeeping services, nonprofit professional, charitable and labor organizations, dance studio and school~~, bowling alley, and motion picture and theatrical playhouse~~.

~~6. Clubs, lodges, fraternal charitable or social organizations.~~

~~9. Public self storage facilities provided:~~

~~a) Storage inside buildings only.~~

~~b) Master key available for fire inspection.~~

Section 402-2.B Conditionally Permitted Uses

~~2. Gasoline service station, garage and automotive repair subject to subsection 802.107, 802.109, 802.121, 802.130, 802.131, and 802.132.~~

3. The following uses may be conducted no closer than 100 feet from any residential district or existing residential use, subject to subsections 802.107, 802.121, 802.127, 802.128,

802.129, 802.131. ***Delete the text above as all conditionally permitted uses under this section are proposed to be removed.***

~~a. Carpenter, cabinet, upholstering, sheet metal, plumbing, heating, roofing, air conditioning, sign painting, surface preparation and other similar establishments.~~

~~b. Repair services for machinery and equipment including repair garages and specialty establishments such as motor, body and fender, radiator, motor tune ups, muffler shops, tire repairing, sales and service.~~

5. Use or uses conditionally permitted in the residential district (excepting the construction of a home or residence when a B-1 use is being sought in the M mixed district). ***Change the reference to the M mixed district to M Multi Use District to accurately reflect the district name.***

Revisions in Section 403 B-2 Highway Service Business District

Section 403-3 Conditionally Permitted Uses

The Zoning Board of Appeals may issue Conditional Zoning Certificates for uses listed herein subject to article VIII.

a) The following uses subject to subsection 802.123
   1. Motels
   2. Restaurants and eating places.
   3. Indoor Sports Complex

Revisions in Section 404 I-1 Industrial District

Section 404-1 Permitted Uses

a) The manufacture, compounding, processing, packing or treatment of such products as candy, cosmetics, drugs, food, clothing, and vegetable products.

~~b) Dairy and locker plant.~~

Revisions in Section 405 M Multi Use District

Use zone to contain both Industrial (I-2) (except Sexually Oriented Business), and Business (B-1 and B-2) zoning to be regulated by Section 402 (excepting the construction of a home or residence when a B-1 use is being sought in the M mixed district) 403, and 404. ***Change the reference to the M mixed district to M Multi Use District to accurately reflect the district name.***

Revisions in Section 410 Home Occupation

Definitions:

Type 2 Home Occupation is a non-residential use utilizing an accessory building on residential property and is carried on by the inhabitants thereof plus maximum of one employee. This is clearly incidental and secondary to the use of the property for residential purpose and maintains and does not change the residential character of the property. Any parking of non-residential vehicles and equipment should be to the rear of the home and accessory building.

Revisions in Section 501-2 Regulations (Non-Conforming Uses)

The lawful use of any building or land existing at the effective date of this Resolution may be continued although such use does not conform with the provisions of this Resolution, provided the following conditions are met:

~~f) Restoration. Nothing in this Resolution shall prevent the reconstruction, repairing, rebuilding, and continued use of any non-conforming building or structure damaged by fire, collapse, explosion, or Act of God, subsequent to the date of this Resolution wherein the expense of such work does not exceed fifty (50) percent of the total replacement cost of the building or structure at the time such damage occurred.~~

~~g) A non-comforming residential building or structure may be reconstructed, repaired, of rebuilt if destroyed by fire, collapse, explosion, or Act of God, subsequent to the date of this section, even if the expense of such work exceeds fifty (50) percent of the total replacement cost of the residential building or structure at the time such damage occurred.~~

Staff recommends the Township contact the Prosecutor's Office to review deletions of 501-2.f and g.

Recommendation: Planning Services staff recommends the Planning Commission **APPROVE WITH MODIFICATIONS** the proposed text amendments to the Harrisville Township Zoning Resolution.