



Certificate of Zoning Amendment

Application Number **ZCA16-0008**

Dispensation **DENIED**

PAINESVILLE TOWNSHIP

LAKE, OHIO

PAINESVILLE TOWNSHIP ZONING

55 NYE ROAD, PAINESVILLE TOWNSHIP, OHIO 44077

440 352-1443

ADDRESS: **61 NYE RD**

PARCEL NO.: **11-A-015-L-00-006-0**

CATEGORY **TEXT**

APPLICANT: **PAINESVILLE TWP BOARD OF TRUST**

55 NYE RD

PAINESVILLE TWP., OH 44077

FBO

PAINESVILLE TWP BOARD OF TRUSTEES

FORMER ZONING DISTRICT	NEW ZONING DISTRICT	ZONING COMMISSION CASE NO.	TRUSTEE RESOLUTION
NA	NA	16-ZC-08	2016 - 32

The proposed amendment is to add new Section 39- Personal Property Sales to the Painesville Township Zoning Resolution and to make the corresponding modification to the "Contents" page.

NOTATION BY:

Richard L. Constantine, Zoning Inspector

RESOLUTION DATE:

03/15/2016

EFFECTIVE DATE:

04/14/2016

HISTORY OF CHANGE REQUEST

16-ZC-08

Painesville Township Zoning Commission Proposed Text Amendment Add new Section 39- Personal Property Sales

January 14, 2016		Application dated
January 27, 2016		Lake County Planning Commission Hearing Recommendation - <i>Modification</i>
February 8, 2016		Painesville Township Zoning Commission Public Hearing
February 8, 2016		Painesville Township Zoning Commission Regular Meeting Recommendation - <i>Approval</i>
<u>02-16-2016</u>	TR RES 2016-20 <u>2016-24</u>	Meeting Date Received By Trustees
<u>03-04-2016</u>		Legal ad published for Trustees
<u>03-15-2016</u>	TR RES <u>2016-32</u>	Painesville Township Trustees' Public Hearing- <i>Final Decision</i> REJECTED 14 EFF 4-15-16
_____		Send results to Lake County Planning Commission
_____		File Amendment with Lake County Recorder

**CERTIFICATE OF MOTION
TO PAINESVILLE TOWNSHIP TRUSTEES
FEBRUARY 11, 2016**

This certifies that the following action was taken by the Painesville Township Zoning Commission at a meeting held February 8, 2016:

Zoning members present: Chairman, Darrell Webster
 Vice-Chairman, Lee Bodnar
 John Haught
 Beth Knezevich
 Ted Galuschik

Item 16-ZC-08

Lee Bodnar moved TO recommend approval of proposed amendments as modified to the Painesville Township Resolution by adding a new Section 39- Personal Property Sales to the Zoning Resolution and to make the corresponding change to the "Contents" page AND TO forward such recommendation to the Painesville Township Board of Trustees.

The motion was seconded by Beth Knezevich.

Vote: Galuschik, Aye; Haught, Aye; Bodnar, Aye; Knezevich, Aye; Webster, Aye.
Motion approved.

Richelle Jones, Secretary
Painesville Township
Zoning Commission

Enclos: Revised copy of new Section 39-Personal Property Sales with modifications indicated in blue text.



Application For Zoning Amendment

Application Number **ZCA16-0008**

PAINESVILLE TOWNSHIP

LAKE, OHIO

PAINESVILLE TOWNSHIP ZONING

55 NYE ROAD, PAINESVILLE TOWNSHIP, OHIO 44077

440 352-1443

ZONING COMMISSION

CASE NO.

16-ZC-08

Hearing Date

02/08/2016

ADDRESS: **61 NYE RD**

PARCEL NO.: **11-A-015-L-00-006-0**

APPLICANT: **PAINESVILLE TWP BOARD OF TRUST**

55 NYE RD

PAINESVILLE TWP., OH 44077

FBO PAINESVILLE TWP BOARD OF TRUSTEES

EXISTING ZONING
DISTRICT

R-1

REQUESTED ZONING
DISTRICT

TYPE OF REQUEST

TEXT CHANGE

The proposed amendment is to add new Section 39- Personal Property Sales to the Painesville Township Zoning Resolution and to make the corresponding modification to the "Contents" page.

HEARING CLOSED ON 2/8/16 7:37AM

NOTATION BY:

Richard L. Constantine, Zoning Inspector

DATE:

01/14/2016

FEE:

\$0.00

39.01 PURPOSE: The provisions contained herein do not seek to control personal property sales by individuals selling a few of their household or personal items, but are intended to regulate such sales by defining the terms and frequency of said sales so as not to disrupt the residential environment of the Township for the safety and welfare of our residents.

39.02 DEFINITIONS:

- A. **PERSONAL PROPERTY SALES** (herein referred to as "sales") shall mean: All general sales for the purpose of disposing personal property, open to the public, conducted from or on land that is residentially used, including, but not limited to all sales entitled "garage", "yard", "estate", "moving", or "barn". The sale shall not be for items that would constitute and support a commercial venture which would be considered personal income on a year round basis.

39.03 PROVISIONS:

- A. There shall be a limit of three (3) sales at a premises during any ~~twelve-month period~~ calendar year.
- B. Each sale shall not exceed more than four (4) consecutive calendar days in length, and must be a minimum of thirty (30) days apart.
- C. Individuals having a sale must register their sale date(s), time, address, and location of any off premises sign(s) at least 72 hours before the commencement of said sale with the Painesville Township Zoning Inspector.
- D. There will be **NO COST** to register the sale. Sales shall be conducted on property owned by the registrant.

39.04 SIGNS:

- A. Signs must be placed outside of any dedicated road right-of-way on private property with the permission of the owner.
- B. One sign shall be allowed upon the lot where the sale is taking place and up to five (5) signs are allowed at off premises locations advertising the sale.
- C. All signs can be placed twenty-four (24) hours prior to the sale and must be removed within twenty-four (24) hours of the last day of the sale.
- D. No sale sign shall exceed ten (10) square feet in size and shall be no taller than three (2) (3) feet above the ground level. Signs shall not be placed any closer than twenty (20) feet to the edge of the road pavement.
- E. Sale signs must be self supporting and in no way be attached to, mounted to, or placed on utility poles, trees, utility boxes, traffic control boxes, street lights and/or sign structures.

39.05 PENALTY

- A. In accordance with Section 3-Enforcement, herein, the owner or applicant may be subject to penalties for failing to comply with the terms and requirements of this Zoning Resolution.