

**Austinburg Township, Ohio**

**Zoning Commission**

**Regular Meeting**

**August 1, 2018**

The Regular Meeting of the Zoning Commission was called to order on Wednesday, August 1, 2018 at 5:19PM by the Chair Wanda Lahnan. Also present were Phil Miller, Ms. Jacklyn Krysa, and Zoning Inspector John Beninato. Also in attendance were Austinburg Township Trustee Byron Dutton, Ted Seifert and Evelyn Schaeffer.

July 11, 2018 meeting minutes were approved. All voted aye, none were opposed. (Correction to the spelling of Ms. Krysa's name will be made).

Clearer copies of zoning maps were handed out by Ms. Krysa.

Old business: Medical marijuana language was sent to the Prosecutor's Office for review. Recommended language is to incorporate "are to be duly state licensed facilities". The Prosecutor's Office had questions on "intent" as to the allowance of Medical Marijuana. Suggestion was made for the Austinburg Township Trustees to contact the Prosecutor's Office for clarification. Trustee Dutton advised he would make contact. Ms. Krysa motioned for the medical marijuana language to incorporate "are to be duly State licensed facilities". All voted aye, none were opposed. Chair Lahnan will revise the draft of the current language accordingly.

County Comprehensive Plan. The Prosecutor's Office provided a certified copy of the official County Comprehensive Plan, adopted on December 9, 2003. The Township has adopted the County Comprehensive Plan as well.

Definitions of Group Homes and Family were discussed. In correspondence Janice Switzer suggested Concord Township and Kingston definitions be used to compare against our current definitions. Mr. Beninato thinks the definition of family should be amended as the State has expanded upon their definition. Group homes need to be mirrored with the States definition. ORC 5104.01 is the start of the definitions for homes and ORC 4101.13 provides classification of facilities. Phil Miller will review the ORC to get the updated definitions and verify ours are inline.

Districts: Information from Nick Sanford stated the sewers are deemed adequate for development. Coffee Creek is not "maxed out". \$1.2mil in funds are being secured to add capacity to the system along with other much needed repairs/upgrades. Additional grant money is for the plant and not additional sewer lines.

Properties in question for the sewer issues are parcels: 07-003-00-029-01, 07-003-00-028-00, 07-003-00-028-02. Prior to the Neighborhood Commercial District the area was all residential. Jeff Piatek's property was not included in either the Neighborhood Commercial or the Education District. The nearest access for Joe Hejduk's property would be Austinburg Rehab and Nursing or add a pump station.

Trustee Dutton said we need to have bigger lots for accommodating commercial (hereinafter referred to as "AC"). The area in question (Clay Street to the "stream") now only has 3 homes in the area. Mr.

Seifert pointed out that AC biggest difference is automobile services/signs. Neighborhood Commercial (hereinafter referred to as “NC”) would allow hotels and allow residential, commercial, historical district and prohibit marginal strip development. Evelyn Schaeffer said when Sidley purchased the property only part of the property (front portion) was zoned commercial. The rest of the property was zoned industrial. There is quite a bit of land zoned AC with no direct sewer access currently available.

Various businesses were discussed as ideas for the AC land and the issue was brought up that sewers would be nearly impossible due to the location and I-90.

To-date no applications were received. Trustee Dutton approached some property owners to zone area as Accommodating Commercial. One property is currently for sale. Trustee Dutton approached the realtor who in turn reached out to property owners who all would like to be rezoned from Neighborhood Commercial to Accommodating Commercial. None of the property owners have approached the Zoning Committee for a change.

Ted Seifert suggested Trustee Dutton abstain from a vote on the parcel as he is currently a landlord of one of the property holders.

Evelyn Schaeffer pointed out that Clay Street was the natural demarcation for the district division when the districts were implemented. Once you pass Clay Street Neighborhood Commercial starts. If the property in question turns to AC (along with the adjoining properties), AC will extend to Coffee Creek (too far for the motoring public based on ODOT studies) and this will allow tall signs to be put in the AC area. This is one reason behind not crossing Clay Street as this would allow for 75 foot signs to be erected, LED signs, messaging signs, etc.

Neighborhood Commercial allows 62 different businesses. Since, based on ODOT studies, the motoring public does not travel past  $\frac{3}{4}$  of a mile after exiting a roadway, Accommodating Commercial would not be the best zoning.

Evelyn Schaeffer suggested before any changes are done the industrial area be considered as an alternative. Chair Lahnman encouraged Trustee Dutton to approach the owners of the Industrial Area to see if they want to have their area rezoned.

Trustee Dutton stated he advised Jeff Piatek, the property owner, that before he purchased the property he needed to make sure he had zoning straightened out. Jeff advised the land was good and the price was good and it would be a good purchase.

The Board advised Trustee Dutton they will draft a letter addressed to the Trustees as to their position on this matter. Nothing further can be done without an application.

Ms. Krysa made a MOTION to adjourn the meeting. Phil Miller seconded it. All voted aye; none were opposed. The MOTION carried. The meeting was adjourned at 6:40 PM.

The next Regular Meeting will be Wednesday, September 5, 2018 at 5:15PM.

Respectfully submitted,

Dolores Allen

Zoning Secretary