

2015 Minutes of Ellsworth Zoning Meeting 2015-003

Work Session – February 03, 2015

On Tuesday, February 03, 2015, the Ellsworth Township Zoning Commission work session began at 6:05PM at the Fire Hall.

Chairman Fred Schrock opened the meeting leading with the Pledge of Allegiance followed by a moment of silence for our service personnel.

Members present were Chairman Fred Schrock, Janine Goddard, Jim Tripp and Alternate Ron Niemiec who filled in for Frank Marra. Absent was Frank Marra; excused.

Four (4) guests were present; Trustee Fred Houston, Trustee Bob Toman, Trustee Artie Spellman & Lee Sandstrom. Also present is Inspector Wayne Sarna (off and on) and Consultant George Smerigan.

Tonight's meeting is being recorded.

Fred Schrock updated everyone since the last meeting regarding what is the official zoning map. He believes that the map signed and dated in January 1998 is the official map which is the one the commission has been using. Then when we asked the zoning inspector, he supplied us with another one that was signed and dated in 2006. Fred Schrock and Jim Tripp went to the GIS department to get a copy of the current map and were directed to the Records Office at the Court House. The Records Office had as our Official Zoning Map dated May 18, 1992. There was no other map put on record since that date. While there, Fred Schrock gave the GIS updates for the contact information.

Fred Schrock said he was told by Artie Spellman to get ahold of the Ellsworth legal counsel and find out what was the official zoning map that they were using for the litigation, and it was implied by Attorney Rogers that it is dated 1998.

Since the previous meeting Inspector Wayne Sarna gave the GIS Department updates to be made to the map. He also provided us with an updated map.

Fred Schrock brought out all the maps so all could see the changes on the maps through the years and also so the recent corrections could be verified. And George Smerigan said the one showing all the parcels / lot lines would be the best form to use as a basis for the new "Official Zoning Map." George also said that maps should be updated once a year. The zoning inspector is supposed to do the changes to the map throughout the year by notating the changes directly on the current map; then replaces the marked up map with a new amended map and takes to the trustees to sign and date; which then becomes the "Official Zoning Map." And the cycle repeats each year. The map only gets changed when the trustees vote to make an amendment to the map.

There was much back and forth discussion on the maps and the zoning districts on the maps.

Fred Schrock summed up what needed to be done with the maps to prepare for submission with the resolution as follows:

- Legend needs to conform to the resolution; changing colors of parks and cemeteries to Ag.
- Include quad (4 quads) maps with the parcel ID numbers as part of the proposed official map.
- Eliminating B2/B1 and replace with B.

Fred Schrock remarked that Jim Tripp is concerned that we need to add modular homes to the matrix.

June 7, 1991, there was a letter to the zoning inspector who was Ishraq Hafiz at that time, regarding their regular meeting of the trustees held on May 16, 1991; the Ellsworth Township

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passed a resolution regarding manufactured homes on a permanent foundation in R1 and Agricultural Districts. Mike Hubbs is the most recent to apply and receive a permit for this. Also a resident inquired about putting up a modular home on RT 224. Plus we have a resident on Gault Rd who is also considering a modular home. Both are hoping to apply and receive a permit for these in Ellsworth. In our current zoning resolution in the definitions there is manufactured homes and modular housing, but in our new zoning resolution manufactured homes is not mentioned, and we are not allowing mobile homes or trailers. They are using the manufactured homes in the current resolution as a guideline, to comply with past precedence, an application for a permit for a modular home needs to go through the Zoning Board of Appeals. So Fred Schrock said we need to clarify things in the new zoning book.

On pages 6-1 & 6-2 in the new resolution draft, we took modular out of our matrix, and also manufactured homes. But looking at Section 602, it explains those items not listed. We need to have something highlighting part of Section 602 regarding not allowed.

On factory built homes; modular homes, George Smerigan said is designed to meet the 1 & 2 building code in the State of Ohio. The other is built to mobile home standard; which is also built to stand on a chassis. George said that we can limit or restrict mobile homes.

Artie Spellman said that we should include what the accepted industry standard rating for the units are in our resolution.

Fred Houston asked about temporarily putting a mobile trailer on a property while rebuilding your home that was destroyed due to fire, etc. Currently there is nothing in the zoning resolution that would allow this, they would have to go to the Board of Appeals and get a variance.

Bob Toman asked if an old trailer/mobile home can be replaced with a new trailer/mobile home. And Artie Spellman said that the county would get involved and would require them to be permanently sited. George Smerigan said no, you would be expanding the nonconformity.

Fred Houston asked if the Board of Appeals could waive their fees and George Smerigan said no. The trustees set the fees and only the trustees can waive fees.

Jim Tripp commented on the Outdoor Commercial Signs on page 11-8 of the resolution. He thinks this section will allow a billboard in a residential area and George Smerigan said the matrix will answer this. They are only allowed in Business and Industrial districts.

Fred Schrock commented that he was making sure the trustees are updated with George Smerigan on where we are with the resolution, the map and costs.

George Smerigan said the map is in the process of being update by Janine Goddard and Inspector Wayne Sarna, he also said the resolution should be in final form after a few more adjustments. With the next document that George Smerigan sends us, we should be ready to submit it for public hearing. As far as the amount of meetings left with George should be approximately four more; 1 hearing with the trustees on the Land Use and Policy Plan, 1 hearing with the zoning commission on the Zoning Resolution, and 1 hearing with the Trustees on the Zoning Resolution. George would then make amendments as needed; then being with the Commission to present the final zoning resolution to the Mahoning County Planning Commission.

George Smerigan suggested to the commission to ask the Trustees for an additional \$3000 which would bring his costs close to the amount he quoted, to finish up the LUP and the zoning

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resolution, just to be on the safe side. He has billed \$11,950 so far. Fred Houston said for the commission to come to them with a proposal for the additional amount.

Fred Schrock asked the Trustees what they may have learned from the Winter Conference. Fred Houston said he attended the ADA section. ADA stressed that there should be something in the zoning resolution addressing ADA. And our zoning resolution does have something with ADA.

Bob Toman listened about Land Use Plans at the Winter Conference. He said that most townships were more focused on a Comprehensive Plan. George Smerigan said that due to costs, he gave us a Policy Plan. George also said that courts recognize a Policy Plan to go with the resolution.

Motion is made to adjourn at 8:45PM by Janine Goddard; seconded by Ron Niemiec. Motion carried.

Janine Goddard
Secretary