

2014 Minutes of Ellsworth Zoning Meeting

June 05, 2014



On Thursday, June 05, 2014 the Ellsworth Township Zoning Commission work session began at 6:00PM at the Town 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, Vice Chairman Ishraq Hafiz, Janine Goddard, Jim Tripp, Frank Marra and Alternate Ron Niemiec.

Twenty-four (24) guests were present –plus Consultant George Smerigan. The guests include our trustees – Fred Houston, Art Spellman & Bob Toman.

Chairman Fred Schrock introduced the commission members to the guests and also introduced our consultant – George Smerigan. He informed everyone that George Smerigan put together the Land Use Plan (LUP) after gathering input from the zoning commission, the trustees and the public at the Commission's public meeting held on May 08, 2014. Fred further explained that the LUP currently is only a draft and after tonight's meeting the draft will be further refined from all the comments / suggestions from the public. The Zoning Commission is only an advisor unit so the draft will then be submitted to the Trustees for approval. Chairman Fred Schrock read O.R.C. **519.02 Board of township trustees may regulate location, size and use of buildings and lands in unincorporated territory** and **also 519.05 Recommendations of zoning plan by commission - powers and duties of commission**. Then the meeting was turned over to Consultant George Smerigan.

George Smerigan stated that the LUP is a statement on where the Township plans to head in the future, that it is not to change our ideas, but to put them in writing. A LUP needs to be put on record and the zoning resolution must be written according to the LUP. It is a document where the township is headed long term, merely a policy guide. George read the heading of each section of the LUP and explained each section. Then he opened up the meeting to questions.

The following were comments made and questions asked:

- George Smerigan said the law recommends that the commission base their regulations on a plan.
- Asked about the map's district designations – and was told that it is not black and white on how the map is denoted, but general areas.
- Fred Schrock said that is why it is drawn as it is – not to define border lines, but to be general.
- LUP does not to prohibit business requests in other areas then those marked.
- Kelly Hardinger asked about the area marked Industrial, again just identifying a general area, that it does not change the current zoning of the properties. An individual would still need to go through the legal process to get a zone change.
- Lee Sandstrom commented regarding the business corridor, asking if it will be the same as Beaver Township in regards to areas automatically being rezoned. Answered that Ellsworth will not rezone automatically, that this plan does not amend the zoning map. This plan redirects the rezoning – making it possible. It is not like Beaver Township's plan – they have a comprehensive plan.
- Asked what were the steps to approval of a final plan? Answered – first take input and suggestions, then make changes as necessary, after which the Zoning Commission sends the LUP to the Trustees as a recommendation at which point the Trustees decide how they want to handle it.
- Garry Riggs said he would like see the final copy of the LUP that is submitted to the Trustees. And he also suggested a better way to get copies to the public via outside information boxes.
- Trustee Artie Spellman commented that growth is driven by money and mandates by government.
- Zoning is there to protect the population / public – the LUP is a guidance.
- Artie Spellman commented that money can cause revitalization and rid blight in some areas.
- Ishraq Hafiz said there are occasionally growth grants available and with a LUP, it shows that the township is serious about growth.
- Paul Hendricks feels that the LUP has a bite – due to that it has been accepted, that it will have government powers. George Smerigan said no – that it is just a guide, Zoning Regulation is what has the bite. The Zoning Resolution is what decides for you.

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- Paul Hendricks asked what constitutes an acceptable business. George answered that it will be in the Zoning Resolution.
- George Smerigan said that zoning is to allow you to use your property in the fashion that you would like, but at the same time to be considerate of your neighbor, to protect them also.
- Chairman Fred Schrock reiterated that the Zoning Resolution before being adopted will have public hearing before given to the Trustees, and then the Trustees then will have another public hearing.
- Karen Grittie felt that the Industrial area we have marked isn't a feasible area.
- Francis Martin reiterated that the law requires that the township have a plan, that we must have some kind of plan to support our Zoning Resolution, so we must give our views on this plan.
- Another asked if the Zoning Commission is paid or volunteered. Answered paid per meeting and told that we are appointed by the Trustees and that the positions are advertised when an open position is available.
- The same person asked why we do not show on the map an Industrial area where roads are heavily traveled.
- Lots of discussion on why Industrial is only in one area.
- Lee Sandstrom feels that the Zoning Commission should have a committee of a variety of people to decide on the LUP.
- One person said "yeah", that we have the vision to put together a LUP. Also that she was very happy with the beginning of the LUP and also page 5 where the commission is thinking of the elderly, etc. And that we allow for the opportunity.
- Someone brought up the utilities for the Industrial area – in 1961 only a party line was available, but Texaco, because they had money was able to have a private phone line put in for Texaco.
- Lee Sandstrom asked who will approve cluster houses. Answered that it will still have to go through normal approval procedures. The community will not plan the land, but to promote it to make it more appealing to new comer businesses. Again, the LUP is just a guideline.
- Carol Mansell said that she is very much for the seniors. Right now we have nothing that would be conducive to elderly people – grocery stores, doctors, banks, etc.
- George Smerigan said that today a lot of facilities have lots of this build in – on-site doctors, etc.
- Another citizen said that he left Beaver Township after 25 years because he felt the township wanted to be another Boardman. He said that he likes the LUP wants to keep Ellsworth Township agricultural. Fred Schrock said we are currently approximately 92% ag. Was mentioned could we put in the LUP or Zoning Resolution that we want to limit the township to a fixed percentage for Industrial. Asked if he wanted to put in a business / industry, how does he get utilities, who does he go to for utilities? Artie Spellman said that unincorporated areas count on state and county to help out (moneywise). Reality is that most industries will look for areas that have utilities, either already supplied for by the community or given to them. Also said was if a local community does not want it – it does not happen. State does not trump decision.
- Asked to explain "grandfathered in". And George Smerigan explained. Also said with Ag, zoning does not control.
- Artie Spellman said that he has been on this journey for six years with the LUP and the new Trustees have been on this for six months and that they are for getting the LUP done. He also said that there are some vague terms in the LUP and also with the Zoning Resolution.
- Frank Marra also said young people cannot even buy a piece of land unless it is given to them by parents. We need to consider developing for them.
- George Smerigan thanked everyone for coming and comments. Also did Fred Schrock.

Motion is made to adjourn at 8:30PM by Ishraq Hafiz, seconded by Jim Tripp. Motion carried.

Janine Goddard
Secretary