



The Rootstown Township Zoning Commission met in regular session on Monday, May 20, 2013, at 7:00 p.m. at Rootstown Town Hall.

Present:

Karen Henry
Bob Moses
George Tishma

Absent:

Steve Brown
Ginny Hamilton
Theresa Summers
Rob Swauger

Also present:

Jim Mahood, Zoning Inspector
Brett Housley, Trustee
Van Black, Asst. Zoning Inspector

Audience

See attached list

Karen Henry, called the meeting to order.

Karen asked everyone to stand and pledge allegiance to the flag.

Karen Henry asked if everyone had a chance to review the minutes from the last meeting? Bob Moses made the motion to accept the minutes as prepared, it was seconded by George Tishma , roll was taken and passed 3-0.

Due to the large crowd Karen Henry asked the audience if someone wanted to speak. Mr. Jim Rykaceski of 4475 Lynn Rd. began by going over the details of his property and how he is in the process trying to sell his home. Mr. Rykaceski stated that due to a clause in the zoning regulations that reads any non-conforming structure that is destroyed by natural causes can be rebuilt to only 50% of the value of the structure. Since his home is located in a commercial district the lender will not proceed with the loan. Mr. Rykaceski would like the board to clarify why this regulation is in the book and to also make a statement on behalf of the couple trying to purchase their home. Mr.

Rykaceski stated that he has already moved into another home and can not afford two house payments. Mr. Ross Boyer spoke and wanted to know what non-conforming use means and how it effect his property. Mrs. Cynthia Kunicki also spoke and was concerned why her property is zoned commercial and why weren't they notified of this change when it took place. Mr. Mahood stated that members of this zoning board were not sitting members and would be hard pressed to answer why and how changes to place. Mr. Mahood stated that notification took place in the local paper as required by the Ohio Revised Code. Discussion to place regarding notification and why Lynn Rd. East of St. Rt. 44 was zoned commercial in the first place. Members of the Zoning Commission spoke and agreed with the residence that this zoning resolution needs to be changed, but this process will take a minimum of 4 to 6 months. The couple trying to purchase Mr. Rykaceski's home requested a possible letter to be written on behalf of the Township stating that a change in the zoning code will take place. Mr. Housley stated he would look into a letter, but couldn't promise one would be written due to legal concerns. Todd Peetz of the Portage County Regional Planning Commission spoke and said this is a common occurrence in other Townships, and new regulations can be written by the R.P.C at their next meeting. Mr. Peetz handed out language used in other Townships zoning codes, the zoning commission members agreed to look into and propose language to help out the residences on Lynn Rd. Discussion took place between board members and the audience on possible language. The Zoning Commission reviewed the handout by Todd Peetz and agreed to add a section E. to 450.02 to allow 100% rebuild to existing residence in commercial districts. Todd Peetz said Regional Planning will come up with language for recommendation to the Zoning Commission at their next scheduled meeting. Discussion took place regarding how long this process will take, Mr. Mahood stated that there is no quick fix and this process will take a few months.

Karen Henry asked Mr. Mahood if he had anything to discuss. Mr. Mahood reported he was to meet with the engineers working with the speedway station on 44 in regards to the possible zoning change for the property located behind the current station.

Karen Henry then asked Todd Peetz if he wanted to review the proposed zoning changes the Regional Planning office is recommending. Mr. Peetz, mentioned Freedom Twp. Zoning language regarding non-conforming structures and how they added a new admendment to allow for a 100% rebuild. George Tishma asked if was possible to rezone that area back to

residential, Mr. Mahood said that other residents in other commercial and industrial districts will still be effected and language would still need to be developed to help them. The Zoning Commission feels that the information handed out previously adding section E to 450.02 will be sufficient. Mr. Peetz will develop language for their review. Karen Henry proposed to the board that Regional Planning developed language adding section E. to 450.02 allowing residents in commerical districts to rebuild to 100% of the value of the nonconforming structure and to address this situation ahead of all other reccommedations the Regional Planning office is suggesting for the new Zoning Regulations, George Tishma seconded, vote was taken and passed 3-0.

Todd Peetz continued with proposed zoning changes for sections 330.05 and 360.05 by adding tables to the text in stead of written language. Todd, was asked by Mr. Housley when his reccommendations will be finished? Mr. Peetz, said he should be able to finish up at the nexst scheduled Commission meeting if all goes well.

The Board decided to stop there and start again at their next meeting, George Tishma made the motion stop there and adjourn and was seconded by Bob Moses, roll was taken and passed 3-0.

Karen Henry, Chair
Rootstown Township Zoning Commission