

The Rootstown Township Zoning Commission met in a public hearing on Tuesday September 6, 2016, at 7 p.m. at Rootstown Town Hall.

Present:	Rob Swauger, Chair	Absent:	Steve Brown
	Theresa Summers, Vice Chair		George Tishma
	Roger Carpenter		
	Stan Dannemiller		

Also Present: Jordan Michael, Zoning Commission Secretary
Mark Tirpak, Zoning Inspector
Joe Paulus, Trustee

Audience: See attached sheet

Chair Rob Swauger called the meeting to order at 7:10 p.m. and asked everyone to stand for the Pledge of Allegiance.

Attorney Randy Cole spoke first on behalf of Sandy Lake, East Muzzy Lake, and Sappwood Shores. He was present along with residents to give a progress report. Surveys have been completed for Sandy Lake Inc. and Sappwood Shores. Mr. Cole said the Sappwood Shores survey is subject to a final revision once two issues between adjacent property owners are resolved. East Muzzy Lake Inc. has an unrecorded plat and is in the process of recording this plat and showing the locations of each building. Rob asked if they will have their own parcel numbers. Mr. Cole said yes, as will Sappwood Shores. Sandy Lake already does. He expects all survey work to be completed within two to three weeks. At that point they will start working with the Regional Planning Commission.

Stan Dannemiller asked if these lots have defined "ends". Mr. Cole said that, in Sandy Lake, the lots go to the water. In Sappwood Shores they do not, and he is not sure about East Muzzy Lake. Stan asked who owns the lake. Mr. Cole said Sandy Lake is privately owned, and Muzzy Lake is owned by the City of Ravenna. Ron Knapp of Sappwood Shores said they own up to the high water mark. Rob asked if the people are responsible for the upkeep of the road in front of their residence. Mr. Cole said the association is responsible, with the exception of a shared agreement with the City of Ravenna going to the pump station.

Claudia James of Portage County Regional Planning said their main concern is either density or minimum lot size. Frontage and setbacks will be difficult because of how the road goes through each lot. The goal is to have common zoning for all three lake districts, if possible. The surveyors only did footprints for the foundation part of each building, which means decks and porches may not be included despite being part of the building footprint. Mr. Cole said there are two houses that are only six feet apart, which will have to stay nonconforming, but their goal is to have only five percent of the properties remain nonconforming.

Rob told Mr. Cole to come back for further discussion once everything is finished on his end. Mr. Cole asked if he should continue working with Regional Planning. Rob said sure. He added that the commission will have to send a request to the trustees to permit use of Regional Planning technical hours.

A Sappwood Shores resident asked for a correction to last month's meeting minutes,

which stated that a bridge at Sappwood Shores was impassable. She said there is no bridge or road that is not passable. Mr. Cole thanked the commission for their time. Rob made a note of the correction and said that statement will be amended. Stan asked if there is still a concern about the township's ability to provide services to that area. Rob said yes, but that is the association's responsibility as long as the road remains private. Vice Chair Theresa Summers asked if there has been an issue before. Rob said yes, on a private road off of Old Forge. There was a bridge and it collapsed, sending a fire truck into a ditch.

Rob asked for a motion to approve the minutes. Theresa made a motion to correct the August meeting minutes with the correction noted. Stan seconded the motion. All were in favor and the motion was approved 4-0.

Public hearing:

Rob opened the public hearing on the proposed zoning amendments. There was no discussion from the audience or from the board. Zoning Assistant Jordan Michael requested that the amendment to Section 350.06 B5 be changed from "must" to "shall". Stan made a motion to correct Section 350.06 B5, changing the word "must" to "shall". Theresa seconded the motion. All were in favor and the motion was approved 4-0.

Theresa made a motion to send the proposed amendments to Section 320.01 J, 350.03 C, 350.06 B5, 390.06 J, and 310.09 D to the trustees. Stan seconded the motion. The vote went as follows: Roger-yes, Stan-yes, Theresa-yes, Rob-yes. The motion was passed 4-0.

Roger pointed out that the amendment to Section 320.01 J was supposed to reference Section 620.10. Jordan said that was voted on last month and he forgot to put it in the document. Roger amended Theresa's motion, for Section 320.01 J to reference Section 620.10 as amended. Stan seconded the motion. The vote went as follows: Roger-yes, Stan-yes, Theresa-yes, Rob-yes. The motion was passed 4-0.

Old business:

Theresa asked Trustee Joe Paulus what will happen if Regional Planning gets the grant for an architect. Joe said they can hire an architect and get a plan together with all of the townships. Theresa asked if we can have something temporary in our book that refers to the Western Reserve, in case someone wants to build in the meantime. Joe said they have to be careful; the "Western Reserve look" is subjective. What if the grant is not approved? Rob said we would need an architectural review board, which the trustees would have to establish. Theresa said the trustees might not do that while we're waiting on a grant. Joe said Regional Planning should find out this month, and they are ready to get the ball rolling. Stan asked if they can request that the trustees provide a consultant or someone who can provide information on the Western Reserve style. Rob suggested asking them to obtain an architect, engineer, or consultant to help establish a Western Reserve architectural style for our township. That would reduce the need of an architectural review board for the time being.

Audience member Harold Ables showed his preliminary drawings for an industrial building on South Prospect Street. Audience member Pat Gintert asked if the Western Reserve look would carry that far from the town center, and whether that would discourage industry from coming here. Roger said a facial look is not much for industrial.

Rob asked for a motion to ask the trustees for guidance. Stan made a motion to request of the township trustees guidance and financial support to get an architect, engineer, someone to help put together architectural regulations for the Western Reserve look. Theresa seconded the motion. Stan amended the motion to add "until such time that Regional Planning takes over." All were in favor and the motion was passed 4-0.

Jordan handed out a Zoning Commission informational guide that has been provided to members in the past. It is a reference guide, not a part of the zoning resolution. The Zoning Board of Appeals received an informational guide as well.

Rob asked Joe for an update on the comprehensive land use plan. Joe said he sent an email to Regional Planning and the prosecutor's office to ask what the steps are to finalize the plan. It will be available to the public once it is finalized.

Jordan and Mark made a checklist of topics that have been discussed over the past two years, to make sure certain issues are not falling through the cracks.

Stan mentioned a comment in Sound Off about a junkyard and asked where the junkyard is. Jordan said there have been numerous complaints about Schumann's Towing. Rob said Mr. Schumann was supposed to bring information and asked if he did that. Jordan said he did not. Rob said he either needs a variance or for us to change the zoning in that area. Theresa said the problem is that towing is not in our zoning book at all. Rob suggested adding a #6 to Section 350.03 E for towing and storage, as a conditional use. Stan pointed out the definition for junkyard, which includes the storing of junk cars. Rob suggested creating another definition for towing storage, and perhaps splitting temporary storage and towing into separate uses. Stan asked for this to be tabled.

New business:

Jordan said the Park Commission wants to create a zoning district specific for parks, with its own permitted uses. The current township park has certain uses and structures that are not permitted in R-2. They are going to look stuff up on their own and bring recommendations to this board. Joe said a possible JEDD district is on hold because the JEDD is no longer on the ballot.

Joe added that the prosecutor and Regional Planning are working on allowing townships to establish an escrow account for planned residential developments.

Mr. Ables asked which land use auctioning would fall under in an industrial district. He is also interested in warehousing and wholesale, with a store open three days a week and an auction one day a week. Stan said the things people will be concerned about are adequate parking, landscaping, and fencing. Rob said the board may create a new use and definition. Jordan said he and Mark were going to classify it as warehousing and wholesale, which are both permitted. Mr. Ables will come back for a site plan review once the drawings are completed.

Stan made a motion to adjourn, which was seconded by Theresa. All were in favor. The meeting was adjourned at 8:59 p.m.

Section 320.01 – Purpose for Planned Residential Development Regulations

Section 320.01 Existing:

Planned Residential Development regulations are established in order to encourage and accommodate, in a unified project, creative and imaginative Planned Residential Developments (PRD). It is intended that PRDs will utilize innovations in the technology of land development that are in the best interests of the Township and which are consistent with the residential objectives in the Comprehensive Plan to preserve sensitive natural areas that contribute to the character of Rootstown Township. In order to accomplish this purpose, these regulations provide for a variety of dwelling types, including single-family detached, clustered, and attached single-family units.

These regulations are designed to achieve, among others, the following objectives:

A. To conserve natural historic and cultural features of the site, which contribute to the rural character of Rootstown Township.

1. Large, aggregated, undeveloped land areas;
2. Scenic vistas and rural views;
3. Natural features such as woodlands, steep slopes, floodplains, wetlands, stream and river corridors, hedgerows, and rock outcroppings;
4. Visually appealing topography such as hills and undulating terrain, vegetative screens such as woodlands and hedgerows and/or open space areas comprised of pastures and meadows;
5. Significant historic features such as stone walls, old buildings, old barns and foundations, heritage trees, etc.;

B. To maximize the preservation of the community's natural resources by:

1. Conserving areas of prime agricultural soils, to the extent possible;
2. Avoiding development on and destruction of sensitive natural resource areas such as wetlands, natural ponds, marshes, floodplains and larger wooded areas;
3. Maintaining natural characteristics (such as woods, hedgerows, natural vegetation, meadows, steep sloped, rock outcroppings and streams);
4. Reducing the amount of disturbed land, the conservation of natural areas to landscaped areas for lawns, and the use of invasive vegetation; and

5. Reducing the volume and improving the quality of storm water runoff from expected development.

C. To ensure the economical and efficient use of land and reduce infrastructure costs through unified development, such as encouraging traditional rural settlement patterns characterized by clusters of compact groupings of development.

D. To ensure the flexible spacing of lots and buildings in order to encourage the separation of pedestrian and vehicular circulation; the provision of readily accessible open space and recreation areas; and the creation of functional and interesting residential areas.

E. To ensure that Planned Residential Developments are compatible with surrounding neighborhoods and comply with these objectives by requiring the submission of development plans and establishing a review process to ensure that all developments are consistent with the regulations.

F. To establish development review criteria which promote creative design solutions in a manner which best conserves the area's resources.

G. To establish a review process that maintains local review and approval of the overall development plan and which results in the timely consideration of an application.

H. To allow for more efficient use of the land than is generally achieved through conventional development practices.

I. To ensure that the proposed Planned Residential Development complies with the objectives of Rootstown Township as expressed in the Rootstown Township Comprehensive Land Use Plan.

Section 320.01 Proposed (shown in bold):

Planned Residential Development regulations are established in order to encourage and accommodate, in a unified project, creative and imaginative Planned Residential Developments (PRD). It is intended that PRDs will utilize innovations in the technology of land development that are in the best interests of the Township and which are consistent with the residential objectives in the Comprehensive Plan to preserve sensitive natural areas that contribute to the character of Rootstown Township. In order to accomplish this purpose, these regulations provide for a variety of dwelling types, including single-family detached, clustered, and attached single-family units.

These regulations are designed to achieve, among others, the following objectives:

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2. Scenic vistas and rural views;

3. Natural features such as woodlands, steep slopes, floodplains, wetlands, stream and river corridors, hedgerows, and rock outcroppings;

4. Visually appealing topography such as hills and undulating terrain, vegetative screens such as woodlands and hedgerows and/or open space areas comprised

of pastures and meadows;

5. Significant historic features such as stone walls, old buildings, old barns and foundations, heritage trees, etc.;

B. To maximize the preservation of the community's natural resources by:

1. Conserving areas of prime agricultural soils, to the extent possible;

2. Avoiding development on and destruction of sensitive natural resource areas such as wetlands, natural ponds, marshes, floodplains and larger wooded areas;

3. Maintaining natural characteristics (such as woods, hedgerows, natural vegetation, meadows, steep sloped, rock outcroppings and streams);

4. Reducing the amount of disturbed land, the conservation of natural areas to landscaped areas for lawns, and the use of invasive vegetation; and

5. Reducing the volume and improving the quality of storm water runoff from expected development.

C. To ensure the economical and efficient use of land and reduce infrastructure costs through unified development, such as encouraging traditional rural settlement patterns characterized by clusters of compact groupings of development.

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G. To establish a review process that maintains local review and approval of the overall development plan and which results in the timely consideration of an application.

H. To allow for more efficient use of the land than is generally achieved through conventional development practices.

I. To ensure that the proposed Planned Residential Development complies with the objectives of Rootstown Township as expressed in the Rootstown Township Comprehensive Land Use Plan.

J. Any deviations in construction from the originally submitted plan shall be resubmitted to the zoning department for review by the zoning commission, pursuant to Section 620.10 as amended.

Section 350.03 C – Schedule of Permitted Uses, Commercial Districts –

Retail/Services

Section 350.03 C Existing:

	R-O Residenti al Office	V-C Village Center	C-1 Retail Comm.	C-2 General Comm.	C-3 Highway Interchang e
C. Retail/Services					
1. Retail in completely enclosed buildings		P	P	P	C in assoc. w/ another principal use
2. Personal services in completely enclosed buildings		P	P	P	
3. Automated teller machines		C	C	P	
4. Bank, financial institution		P	P	P	
5. Drive-through facilities in association with a principal use				C	P
6. Outdoor display			C	C	C
7. Outdoor storage				C	C
8. Restaurants/banquet facilities		P	P	P	P
9. Studios for artist, photography, etc. which may include retail sales	P	P	P	P	

Section 350.03 C Proposed (shown in bold):

	R-O Residenti al Office	V-C Village Center	C-1 Retail Comm.	C-2 General Comm.	C-3 Highway Interchang e
C. Retail/Services					
1. Retail in completely enclosed buildings		P	P	P	C in assoc. w/ another principal use
2. Personal services in completely enclosed buildings		P	P	P	
3. Automated teller machines		C	C	P	
4. Bank, financial institution		P	P	P	
5. Drive-through facilities in		C		C	P

association with a principal use					
6. Outdoor display			C	C	C
7. Outdoor storage				C	C
8. Restaurants/banquet facilities		P	P	P	P
9. Studios for artist, photography, etc. which may include retail sales	P	P	P	P	

Section 350.06 B – Additional Use/Building Regulations, Commercial Districts

Section 350.06 Existing:

SECTION 350.06 SUPPLEMENTAL USE/BUILDING REGULATIONS.

- A. In R-O, V-C, and C-1 district, the exterior building walls that face a public street or the main parking area shall include architectural features such as windows, piers, columns, defined bays or an undulation of the building so that such exterior building wall is divided by such feature(s) into segments not more than 20 feet in length.
- B. In the V-C District, because of the unique character of the area within the district, buildings should maintain the existing small-scale residential character of the village center by complying with the following building characteristics.
 - 1. Buildings should present a vertical emphasis with a minimum height of 22 feet or two stories, to maintain the existing character of the area.
 - 2. To maintain the residential scale, building roofs shall have a minimum pitch of 6 feet rise for each 12 feet of horizontal run.
 - 3. The arrangement, proportion and design details of windows, doors, porches and other architectural details should be consistent with the patterns currently existing in the district.
 - 4. Mechanical equipment, service areas, trash receptacles and other accessory structures shall be screened from view from adjacent parcels according to Chapter 430.05.
- A. In the V-C district, deliveries shall occur only between the hours of 6:00 a.m. and 10:00 p.m.

Section 350.06 Proposed (shown in bold):

SECTION 350.06 **ADDITIONAL** USE/BUILDING REGULATIONS.

- A. In R-O, V-C, and C-1 district, the exterior building walls that face a public street or the main parking area shall include architectural features such as windows, piers, columns, defined bays or an undulation of the building so that such exterior building wall is divided by such feature(s) into segments not more than 20 feet in length.
- B. In the V-C District, because of the unique character of the area within the district, buildings should maintain the existing small-scale residential character of the village center by complying with the following building characteristics.
 - 1. Buildings should present a vertical emphasis with a minimum height of 22 feet or two stories, to maintain the existing character of the area.
 - 2. To maintain the residential scale, building roofs shall have a minimum pitch of 6 feet rise for each 12 feet of horizontal run.
 - 3. The arrangement, proportion and design details of windows, doors, porches and other architectural details should be consistent with the patterns

- currently existing in the district.
 4. Mechanical equipment, service areas, trash receptacles and other accessory structures shall be screened from view from adjacent parcels according to Chapter 430.05.
 5. **The drive-thru function, design, and appearance shall be according to 390.06 J 1&2.**
- C. In the V-C district, deliveries shall occur only between the hours of 6:00 a.m. and 10:00 p.m.

Section 390.06 J – Drive-Thru Facilities in Association with a Permitted Use

Section 390.06 J Existing:

J. Drive-Thru Facilities in Association with a Permitted Use shall comply with the following:

1. Such facility and associated access drives should be located so as to be the least disruptive to pedestrian traffic;
2. For locations where such facility abuts a residential district an additional buffer area may be required.

Section 390.06 J Proposed (shown in bold):

J. Drive-Thru Facilities in Association with a Permitted Use shall comply with the following:

1. Such facility and associated access drives should be located so as to be the least disruptive to pedestrian **and vehicular** traffic **and the architectural character of the district.**
2. For locations where such facility abuts a residential district an additional buffer area may be required.

Section 310.09 D – Additional Regulations for Accessory Buildings, Residential Districts

Section 310.09 D Existing:

1. Accessory buildings that are detached from the principal building shall comply with the setback requirements of Schedule 310.09 and shall be located a minimum of 20 feet from the principal building.
2. All other accessory buildings shall be attached to the principal building, shall be made structurally a part thereof, and shall comply with the setback requirements for principal buildings set forth in Schedule 310.05.

Section 310.09 D Proposed (shown in bold):

1. Accessory buildings that are detached from the principal building shall comply with the setback requirements of Schedule 310.09 and shall be located a minimum of 20 feet from the principal building.
2. All other accessory buildings shall be attached to the principal building, shall be made structurally a part thereof, and shall comply with the setback requirements for principal buildings set forth in Schedule 310.05.
3. **Any building or structure requiring a county building permit shall also require a township zoning permit, and all buildings or structures shall meet all zoning**

setback requirements.