

Franklin Township, Portage County
Zoning Commission Hearing
November 15, 2018

Members Present: Chair Mary Organ, Judy Spencer, Mike McClure, Theresa Mullett, and Mekal Banyasz.

Others: Joseph Ciccozzi, Assistant Zoning Inspector; Jenny August, Administrative Assistant.

Call to Order: Mrs. Organ called the meeting to order at 7:04 pm.

Minutes:

Mrs. Spencer moved to accept the minutes as presented from the October 18, 2018 meeting. Mrs. Organ seconded. All Commission members voted yes except Mrs. Mullett who abstained. The minutes were approved as presented.

Discussion Topics:

Setbacks for Accessory Buildings

Mrs. Organ said that there are some numbering and lettering changes needed for Section 405.06.D and 405.06.E. This can be done the next time we are asking the Trustees to make amendments to the zoning code.

Zoning Inspector Sam Abell would like the Commission to discuss five foot setbacks from the property line, and also consider decreasing the distance between a principal building and an accessory building from fifteen feet to ten feet. This is mostly related to non-conforming lots, but would apply to the entire township.

After discussion, the Commission agreed to amend Section 405.06.A.8 to read as follows:

It shall be setback a minimum of five (5) feet from the rear and side lot lines, and shall not be located closer than ten (10) feet from the principal building”.

Mr. McClure moved to approve the recommended changes and forward those changes to Portage County Regional Planning Commission for consideration. Mrs. Spencer seconded the motion. All Commissioners voted yes.

Structures

The definition created by the Zoning Commission at their last meeting defines a structure as anything erected over 10 square feet requiring location on the ground or attached to something having a fixed location on the ground. Currently, to construct anything larger than 10 square feet requires a permit. Mr. Abell would like the Commission to discuss whether or not 10 square feet might be too small. The Commission thought of several scenarios, and agreed that it was too small.

Mr. McClure moved to amend the definition of a structure to read as follows and forward it to Portage County Regional Planning Commission for consideration:

Structure:

Anything, constructed or erected, more than 15 square feet, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include but are not limited to roads, buildings, walls, fences, billboards, signs, mobile/manufactured homes, swimming pools, sheds, garages, basketball courts, tennis courts, carports/garage in a box, and decks.

Mrs. Mullett seconded the motion. All Commissioners voted yes. After PCRP reviews the amendments and possibly suggest changes, the Commission will forward the amendments to the Trustees for approval. The Commission also recommend that the Trustee's review and possibly amend the fee schedule.

Homeless Shelters

The Commission reviewed some information that the Cities of Kent and Ravenna have regarding their homeless or temporary shelters. The Commissioners thought that a good location to designate for these shelters might be in the commercial districts where there is easy access to transportation and shopping. Mr. McClure said sometimes these shelters are in residential neighborhoods and need to "blend in" for other reasons. Mrs. Organ said this would fall in chapter 3 under Conditionally Permitted Uses in 320.02.B.1.f. or possibly a higher density residential area. Mrs. Spencer said it might fall into 320.02.B.3.f. as a philanthropic institution. This discussion will continue at the January meeting.

Skill Games

Mrs. Spencer had a conversation with the township's legal counsel, Chris Meduri, regarding skill games. He said the township does not have to allow skill games. Skill games are not prohibited under Ohio law, but that does not mean that the township has to allow them. If it is not addressed in our code, the Zoning Inspector can deny the application. This is spelled out in Section 405.01. There is a provision in our code that allows the Board of Zoning Appeals to consider. The Commission decided to leave our code as is and allow the Board of Zoning Appeals to rule.

Next Meeting:

The next meeting will take place January 17, 2019.

Future Topics for Discussion:

Medical marijuana—should it be added to the code? The township Trustees currently have a temporary moratorium. In the future, should the township allow certain districts to be used for growing, producing or dispensing of medical marijuana? This can be discussed in January.

Discussion will continue on homeless shelters. Ms. Banyasz suggested regulating "recovery houses" with this discussion as well. These types of places are not required to be accredited. There are four levels of recovery houses, with level 4 being the most intense, and could include medical treatment. One concern might be the need to watch out for predatory owners of recovery houses. Ms. Banyasz will get some more information for the Board to review at the February meeting.

The Commission had a brief discussion about "bagsters". This is something that falls under the property maintenance code and would not necessarily be addressed in the zoning code.

The Commission will take a look at Section 405.06.E- Solar Energy Systems. A Solar Energy System is only permitted to be located so it cannot be viewed from the front yard roadway. There has been a lot of advancement with these systems. Most of them look like a large flat screen television that could be allowed to go on either side of the roof. A possible amendment would be as follows:

Location

A *free standing* solar energy system shall only be located in the rear or side yard portion on any lot. An exception is when the solar energy system is attached to a building.

Further discussion on this will take place in January.

Adjournment: Mrs. Spencer moved to adjourn at 9:02 with a second from Mrs. Mullett. All Commission members voted yes.

Respectfully submitted by Jenny August, Administrative Assistant

Approved:

Mary Organ, Zoning Commission Chair