

RAVENNA TOWNSHIP ZONING COMMISSION

BEVERLEY KIBLER, CHAIRMAN, RUTH SCHELL,
JENNIFER COLLIER, LINDA FALTISCO, BOB VAIR

The Ravenna Township Board of Zoning Commission met on April 18, 2018 at 7:00 p.m., at the Ravenna Township Trustees Meeting Room at 6115 S. Spring St., Ravenna, Ohio.

Chairman, Beverley Kibler brought the meeting to order at 7:00.

In attendance were, Beverley Kibler, Linda Faltisco, Ruth Schell, Bob Vair, Carolyn Chambers, Zoning Secretary, and Jim DiPaola, Zoning inspector. Absent was Jennifer Collier.

On the agenda was to approve the minutes from the March 21, 2018 meeting and to review zoning Code changes.

Beverley: Has everyone had a chance to review the minutes? Is there any questions about them? I found one mistake on the first page where we journalize the resolution the word “make” should be “made”. Do we have a motion to approve?

Linda: I make the motion

Ruth: I second it

R/C: Bob Vair –yes, Ruth Schell – yes, Linda Faltisco –yes, and Bev Kibler – yes. Motion passed minutes approved with a change for the word “make to “made” on page one.

Beverley: Old Business, ready for Jim

Jim: Ok, with us tonight we have Todd Peetz, Director of Regional Planning and I’m going to have him go back through what I gave you and try to do some explaining of where we are at with some of this stuff.

Todd: Sure, there are 10 questions that you wanted me to look at and see how we could help, maybe clear up some a little bit. The first question was about site plan review to this part of Conditional Use review or BZA kind of thing. The first question was about site plan review, I think right now Jim’s reviewing site plan it is not going to you or the BZA to review and it is good to have another set of eyes on there. Typically you want that, you want to have some either the Zoning Commission or the BZA. So a site plan review helps you see how it is implemented so if it is coming up in the site plan then maybe we can use it as a code and see things that doesn’t seem to be right. I have written down in the middle of that first page on the paragraph there that having to go through Zoning Commission or the BZA. The requirement currently is that you have 10 days to review this, I think we have to move this now from 10 days to 30 days whether it was to the BZA or the Zoning Commission. Then what I did, after that, was I used Bath Township, because I like how they had it outlined, the only problem with that is the fact that they have an Appearance Review Commission and we have Zoning. Then in step number three it reference to review committee, I’m not saying that we shouldn’t have a review committee, because I think they are really valuable, but maybe that is something we could add back in later.

Beverley: We don’t have the money that Bath has.

Todd: There are people that volunteer, like you guys. It wouldn't be a super expense it would just be another step that they have to go through. For example Rootstown and Shalersville they both have an extra sensory review board now. The whole idea is to make sure they get the zoning they want. Shalersville had a doctor come in near the town center and they wanted a certain look, otherwise they are going to get the standard flat top, now they have peaked roof and brick front strips of sod and they said we don't do that. Then they found some examples of what they look like and oh, I guess we do, do that. Then if we go back to page 3 you have review criteria, expiration, amendments to site plan approval, phased site plans all these things have to be added to your code. I just don't know how. I have to slow down, I am a fast talker sometimes. I apologize. This is just an example, I can provide you with other examples of how that would look, but I think the idea was to give the responsibility, Jim would review it and give me a staff report of some sort as we are going through the criteria or not and you guys would make the decisions.

Beverley: Jim would it help to have one person from Zoning and one from BZA?

Jim: No, it would be better to have the Board do it, either board. The Board of Zoning Appeals used to do site plan reviews before 2009 when we changed it. We probably did about half a dozen a year. I think it would be good to put that step back in and I think when it comes to sub division stuff for the plan units developments like Timber Run and Forest Ridge it would also be good to send it to Todd's group, the Regional Planning too and have them to look at it. That is one of the things that Todd put in here too it would have to go to Regional Planning.

Beverley: They would have a wider view of it than we would.

Jim: Yes, it should not be a fast process when you do a sub division like that you have to live with it for a long time and so that is why we thought we should take a step back and look at this and make sure there are a lot of eyes on them, because when it comes to some things like soils and that kind of thing, your average Zoning Inspector is not going to be, or the Board of Zoning Appeals is not going to be schooled in that sort of thing. Where Regional Planning is. They did our land use plan so their kind of familiar with what we did that would be another reason to having them look at it too. I should get it, then it should go to Regional Planning and come back to the Board of Zoning Appeals for approval, that is how I look at it.

Todd: We are not required to look at Site Plans, it is an option. We don't have the authority too, we are a reckoning body and if you wanted to go to the board want or the staff review?

Jim: Just a staff review.

Todd: Ok, that should be doable.

Jim: We briefly went over the adult group homes, there is not too much we can do about that. In talking to you and talking to Bev, there is nothing we can do about making that a conditionally permitted use.

Todd: On the Review PUD Process, which is a Planned Unit Development Process, I don't think it is really clear as it could have been in your code. I think I added in the process that I gave you, I added in such as Regional Planning Commission for subdivision basically approving this through Zoning through a conditional use, I don't know if that goes to you or BZA to approve that to approve a conditional use in that zoning category and then from there Regional Planning would process those subdivision requirement, but first it would have to be approved by the BZA before it even come to us and then we would process it and make sure it is consistent with the code and I think Jim's comment was if someone comes to the BZA it is unclear as to who looks at it first

and we need to make that a little bit more clear in the book as well. I can clarify that better and show you that, so that is number 2. Then Jim mentioned about the group homes, there are a couple difference in it, it is weird that code section keeps changing and it changed again in 2018 in the beginning and there was one thing that I did find going from page 2 to page 3 was on the bottom of page 2 it talks about how it allowed in all residence district in any known categories adult family group home and that kind of thing, but then in the end it talks about how it is permitted in multifamily district there are some additional zoning requirements that have to do with multifamily district so that you limit excessive concentrate in residential facility. I guess it is how do you feel about this concentration, but it is kind of limited there too, because you have a special guidelines, which is good they add yard parking and sign regulations, that is fine, but then you have to regulate the limit excessive concentration of these residential facilities. I believe that only applies to multifamily districts and it also can be excluded from PUD. I don't know if I really have an answer for you tonight on how to address those I don't know if we have any of those coming in.

Jim: We haven't gotten any yet

Todd: Because Rootstown got some surprises. An adult group home

Bev: A drug facility going in?

Jim: We found one in Franklin Township.

Todd: A group home is more for people that are more with disabilities and not necessarily addiction issue. The reason why I speculate that they are not in all districts is because they are all handicapped in one way or another and part of their houses act is that they have to allow people in. Because these folks have special needs it's not fair to zone them out of certain areas. It has nothing to do with drug rehab or alcohol or anything like that.

Bev: I just saw that in the paper today that they have a new drug rehab down there in Rootstown.

Todd: What happened in Rootstown is one of the developing subdivisions and they bought two lots and they just designed them however they thought made sense and they actually put parcels ran into each other and they are concerned by the zoning staff there because they are so close together there is only a path in between the two. That was part of it and the other part is they are a regular subdivision and you have these two building that don't look like any of the other houses and it is disruptive to look into the subdivision and this is what sent the neighbors off. A lot of those homes are a lot smaller they are over two thousand square foot home and they are 1500 foot minimum that you have in that district. There is nothing in the high rise code that says you can regulate that. Any other comments on that one? Then Mobile homes vs manufactured home – what is the difference? Manufactured homes are found in Revised Code in 4781, but is also found in ORC which is effective of January 21 of this year and so there are two definitions, one defines a manufactured homes which has a pretty broad definition so a manufactured home means.... Do I need to read it out loud?

Everyone: No

Todd: So that is the definition on manufactured homes it ties back to the housing standard of 1974 and a bunch of other USDA codes and with that. But, then you go down to number six, permanently sited manufactured home, because a lot of times manufactured homes are the same at mobile homes. But, I think when they furthered defined it, a permanently manufactured home, which I think is something that is underlined in that section which means the manufactured homes meets all structure and a permanent foundation in connection with the appropriate facilities. I think as a rule the

minimum 3:12 residential roof pitch is good, the structure including any additions at the width of 22 feet at one point and a length 22 feet at another point excluding garages of 900 sq. feet. Then a structure that was manufactured after 1995 was pretty easy to track that as far as the day it was built. Then the structure is not located in a manufactured home park that is another one. You can't call it a manufactured home because of the mobile home park. We could add that to the definition in the code if that helps you Jim.

Jim: Yes, that does.

Todd: Ok, we will add that to the definition section of the code. Does anyone have any questions about all of that? Then five was definitions of a temporary building or structure. This is more of my thoughts about mobile homes and how those work. The perfect example was for temporary buildings. This one talks about the different requirements and the first one is an example one talks about having a permit for that not to be over five consecutive years, it has to be approved by the Board of Zoning Appeals. It has to be permitted by the already permitted use of the district. Grant a permit so the permit is the nature of the development permitted, the arrangement for removing, all that should have to be done at the time of approval regarding setbacks, lot and land coverage providing other requirements to be considered by the health safety and welfare. The use will be harmonious with the Zoning district and no temporary permits shall be granted without holding a public hearing on the application in notifying the adjacent property owners. There is a lot of good information there for a model home. The next one I had was on page six. Dealt with temporary structures like a construction office and they also have information in there that you can only have it up to four consecutive..... you can only have it for two years basically. Then the next to the last one on page six at the bottom there was one that was for specifically for model home that we can consider doing. It can be approved as part of the site plan the model home must meet all designs, development and performance standards. The lots have direct access to the streets for subdivision plans have been approved. The direct operational municipal system or alternate water source have been approved that kind of thing. Street signs have to be installed as part of the model home kind of thing, but they should have to be removed when they are done. Then there is another step, is pretty much getting a building permit after construction of model homes all the criteria herein a temporary certificate of occupancy which shall expire twenty-four months after issuance of occupancy for two years. A model home shall not be used as a residence until after the final subdivision plat has been approved by the township and recorded by the law. The final, the builder can record it later when you take ownership and stuff like that. A flat is approved ahead of time so this might be a little different than what we are used to. Failure to comply with any requirement herein may result in revocation of the certificate of occupancy. These are some of the situation where there are model homes.

Jim: Then they finish the project and cut the project short and never got it completed and they decided to turn the office into a house. The Building Inspector at that time, let them do it and so they sold it. There is no garage on the property and there originally was no basement on the property. So after they bought it the Zoning Inspector just put it in writing that they were to put up a garage and they never did that and he never enforced it they went and dug a basement for it and kind of lifted it up a little bit and put half a basement underneath then they also enclosed it too. It was on a permanent foundation, but I think it is about 800 sq. ft. not in 800 or 900 sq. ft. nowhere close to that. They just let them do it. Basically the guy that owned it told me to take him to court. I don't think that is a good cause, we didn't pursue it at all. There was a case, there was a regulation, but it wasn't enforced on the minimum sq. footage, but there was nothing done from the

get go about the length that could be there or requirement of abandoning or anything. This will help.

Todd: We can probably put something together that will relate to all three of these examples that makes sense. A model home too, I think about Edinburg, Shumacher they have homes right on 14 and those are fake houses. They don't have basements or nothing, they may have water. They are not really meant to be used, they are a display. So we can probably get something together and get you guys to look at.

Ruth: Well, nobody is living in those are they?

Todd: No, some model homes they turn them into houses, use it more like an office being converted into a house or more about a construction house.

Jim: They put in a really flimsy model home that doesn't meet all the requirements of the building code and then turn it into a home.

Todd: That is an expensive thing to do, to build a house and then not have a working septic system and all that kind of stuff. A septic system will cost you 15 to 20,000 dollars and that is a big savings to them not to put one in at all. The EPA is going to have that torn done eventually at some point. I will work on something that related to this as well. Going over to page 8 which is fences in commercial areas 6-8 ft. up to 10 feet high and then setback 15 feet from the road. On the corner, though, it should be further back than 15 feet though right. Are we talking about Wall St. area kind of thing?

Jim: No, we are talking pretty much about everything, just about any place someone would place a fence, because along 59 there was some issues with fences and they were required to be 10 feet off the right of way and even in homes there is an area over here in Blackhorse where everything come right out to the road and you don't have that triangle 15 feet for visibility. We want people to put up a fence, but put it up and the other thing I would like to see is the setback from the property line a foot. I did throw something together on that in chapter six.

Todd: What I did is went through the different chapters and in section 610.06 E add the word, we talk about the height being 6'6" above grade except designated and industrial district and then I wrote down to include what it is in industrial. Isn't that what it says in industrial? Ok I didn't copy that it goes up to 10 feet so I just added the word commercial and industrial uses in that one section. Then I went down and in the other commercial district the CR district we just said to allow up to 10 feet high and in abutting the noncommercial uses and if you go further down you see the GC district and the GI district so that will all be in the 505.09 and 506.10 so that would address all that and I made another comment on the bottom of page 8 we should consider sections 504, 505 and 506 as appropriate that the setback for fences from the road way is 15 feet. We could make the fence closer to the road if we did from the road edge, but this may interfere with the lines possibly we have to be careful of the set lines, I thought of Wall St. there. With the outside storage and stuff. Anyone have any comments on that? Maybe I could put something a little bit clearer than this and get it back to you. Then we have number 7 with height for accessory in residential section to be 18 foot at roof peak. Currently the structure is says it shall not exceed 22 feet in height and I added accept in the residential district shall not exceed 18 feet in height at the peak of the roof. So you have 22 feet height in commercial residential, but when it comes to residential district it can't be more than 18 feet. The idea is you don't want the excessive structure to become the prominent feature on the sight, you got a ranch house and then a big building in the back, you've got a structure in the back that is 22 feet high and your ranch is only 15 feet high. Your eye is going to go to the higher structure. I think the idea is that the primary structure is the primary structure. Do you have any comments on that Jim?

Jim: No, because we have the one over on Hodgson the guy that put up the accessory structure that is 22 feet to the eaves and also with the barn style roof they added a second floor and that says that the accessory structure says that they don't have 1200 sq. ft. for a floor. That's a pretty good size structure and that's got almost as much sq. footage as the house in it.

Bob: How about starting a farm. They have a house and they want to put up a big barn. How is this going to affect them?

Jim: If they have a farm, that becomes agriculture and we can't prohibit we can't regulate it unless they put electric to it and that's the only part they regulate is the electric otherwise they don't regulate the building of it or anything like that and we don't regulate the size, we make them come in and get Zoning Certificate so that there is a permanent record in their address file, but we don't make them pay for the Zoning Certificate.

Todd: That's an easy one. There is a lot of information to look at and number 8 is parking in the driveway or donated parking area. I had a couple of examples from Sylvania and they kind of covered everything and it made be to the point where it is pretty clear and in Green township they also had a lot on parking, maybe a little more than what we are talking about with residential parking. It is a fact that you need to park on a paved surface that was made for parking. Like in my neighborhood I have a neighbor that parked their dump truck in the front yard and it's like against the rules in our subdivision and he has workers that park in the tree lawn, there is a no parking in the street and they put some ruts in the tree lawn and I think what we need to say is if you go down to the page 12.7 this is the car line and it talks about requires and where you park and then it goes to the bottom for residential parking, 12-5.2 the second line down says this requirement shall apply to any residential parking space basically that all driveways with parking issues shall have a surface of asphalt, Portland concrete, brick paved with stones there is so much type of treatment providing all durable dust free surface and the requirement shall apply to any residential parking space and the first 100 feet of the drive measured from the end of the pavement. We can say if you're going to park your car you should have it on something substantial not just in the lawn.

Jim: There is a guy over on Summit, two house from Lakewood that pulled a camper in his backyard and just sit it there in his grass in the middle of his backyard. He had originally had put a gate in for the fence and then put stone in behind the fence, but some reason he has decided to be obnoxious just park it in the middle of the back yard.

Ruth: He is storing it there.

Jim: Yeah, he is

Bob: That trailer is still sitting there too, he is going to need a truck to get it out.

(Everyone talking and laughing)

Jim: That is something we will have to talk about.

Todd: If you have a non-conforming here, it could be non-conforming because it happened after the fact and it can be Grandfathered law.

Jim: All the other ones are Grandfathered they're just not non-conforming uses. As new houses are built, we want them to be hard surface. They can always come to the Board of Zoning Appeals and ask for a variance. Variances are becoming very tough to get, because you have a whole bunch of criteria for it and what the ORC says if you don't meet one of the six criteria the Board of Zoning Appeals has to deny a variance and that came from our Prosecutor when he attended one of our meetings. He told them you have to deny it that is what it says in the ORC. I think we need to make a change to some type of hard surface, asphalt or concrete, brick pavement or something like that.

Bev: But the ones that already have gravel drives they are grandfathered in?

Jim: Yes, they are just non-conforming use. Going back to the cement, I think I've seen where some codes had said that within a year of construction you have a year to get it put in. There are some soils where you need to dump some heavy duty rock in and then run over it for a while and make it settle and then build you garage.

Todd: So on page 10 number 9 Commercial Residential Districts add contractor yard as a conditional use. I added Contractor yard there on page 10 then I added a whole bunch of conditions they had to meet, but it will revise the entire list there, you have it in your code too, what I am suggesting is that we just highlight the ones that I am suggesting for that, just to be on the safe side, I just added it in there and the same thing on page 11 I did the same kind of thing that I added General Commercial districts Contractor Yard and mini-self storage which is already found in the NCR district. I had to get all a bunch of stuff in there, we called it a self-storage area in there and this was a new storage yard. I need to add 50 and take out for consistency. I don't know if they should be in there or not. Any questions, because I went to fast. I'll break it down a little better what seems to fit and how it fits in there and how it fits in your code and you guys can decide if that makes sense.

Jim: We can go over the stuff and I can show you what I've got so far and language at least for chapter six. Then in a month come back and have the finished product for you. Then you won't have to come back in a month, I think I can wing it. So next month I will have the final product for you to take a look at. We should be able to come back and do sections.

Bev: May 16th?

Jim: I will be out of town.

Bev: How about the following week? So the 23rd is that alright for everybody?

Jim: If Todd gets the wording done by then we should be able to get it back to you folks by then.

Bev: We didn't have any comments from our visitors tonight.

(Jim discussing with visitor)

Bev: Do we have any other new business? Do we have a motion to adjourn?

Linda: I make a motion

Bob: I second it.

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Meeting adjourned at 7:40 p.m.

Respectfully submitted by

Carolyn Chambers
Zoning Secretary

cc: Trustees (Coia, Artz, Gibson)
Zoning Inspector (DiPaola)
Zoning Commission (5)
File