

BAZETTA TOWNSHIP TRUSTEES ZONING HEARING MINUTES

Date: February 27, 2018 immediately following the Regular Meeting
Bazetta Township Administration Building
3372 State Route 5
Cortland, Ohio 44410

Present:

Vice Chairman Trustee Paul Hovis
Trustee Frank Parke
Chairman Trustee Ted Webb
Fiscal Officer Rita K. Drew

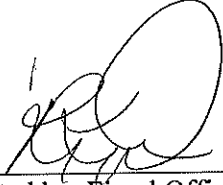
- Trustee Webb called the meeting to order
- Fiscal Officer Drew called the roll to determine if quorum was present to conduct business
- Trustee Webb read the Introduction Speech
- Fiscal Officer Drew read the Legal Ad and Notice of Publication
- Fiscal Officer Drew read the Proposed Text Change Amendment
- Fiscal Officer Drew did not read the Trumbull County Planning Commission recommendation
 - (It had not been made available at the time of the meeting. A copy is attached.)
- Fiscal Officer Drew read the Bazetta Township Zoning Commission recommendation
- Trustee Webb read the Taking of Testimony Speech
- Testimony of Petitioner for Proposed Text Amendment
 - None
- Testimony of Residents
 - Proponents
 - None
 - Opponents
 - None
- Discussion and comment by the Board of Trustees
 - Trustee Hovis stated that a decision should not be made without the Trumbull County Planning Commission recommendation
 - Trustee Webb said
 - This should have been sent over
 - They have 30 days to make a decision
 - He will contact Zoning Secretary Eddy to get a copy of this document before the next Regular Meeting

085-18 To adjourn the hearing at 9:42am.

Motion: Trustee Hovis

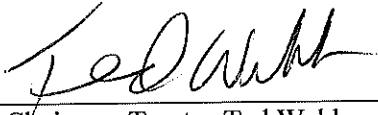
Second: Trustee Parke

Vote: Trustee Hovis – Yes Trustee Parke - Yes Trustee Webb - Yes



Attested by: Fiscal Officer Rita Kay Drew

Dated: 03-02-18



Approved by: Chairman Trustee Ted Webb

Dated: 3/13/18

Bazetta Township Board of Trustees
3372 State Route 5, N.E. · Cortland, Ohio 44410
Phone (330) 637-8816 · Fax (330) 637-4588
Chairman: Theodore J. Webb · Vice Chairman: Paul W. Hovis
Trustee Frank W. Parke

February 12, 2018

Warren Tribune Chronicle
Legal Ad Classifieds
Cindy Simpson

LEGAL NOTICE

Please publish the following one time before February 17, 2018.

The Bazetta Township Board of Trustees, Trumbull County, Ohio, gives notice that a Public Hearing will be held on a proposed text amendment change immediately following their regular meeting on February 27, 2018 at 9:00am at the Township Administration Building located at 3372 State Route 5, N. E., Cortland, Ohio.

All persons have a right to appear in person or by representation to question the proposed text amendment change or give testimony for or against the proposed text amendment. Copies available upon request at the Township Administration Building, 3372 State Route 5, N.E., Cortland, Ohio.

BY ORDER OF THE BOARD OF TRUSTEES
OF BAZETTA TOWNSHIP
By Rita K. Drew, Fiscal Officer

Tribune-Chronicle Legal Ads Print Ad Proof

ADNo: 3515 Customer Number: W03822
Customer Name: Company: BAZETTA TOWNSHIP
Address: 3372 STATE ROUTE 5
City/St/Zip: CORTLAND , OH 44410
Phone: (330) 637-8816 Solicitor: 153
Category: 9000 Class: 9005 Rate: LE-0 Start: 2-14-2018 Stop: 2-14-2018
Lines: 21 Inches: 2.03 Words: 116

Credit Card: Expire:
Order Number:
Cost: 134.11 Extra Charges: .00 Adjustments: .00
Payments: .00 Discount: .00
Balance: 134.11

LEGAL NOTICE

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BY ORDER OF THE BOARD OF TRUSTEES
OF BAZETTA TOWNSHIP
By Rita K. Drew, Fiscal Officer
#045-1T-February 14, 2018 #3515

Bazetta Township Zoning Commission

3372 State Route 5, N.E. · Cortland, Ohio 44410

Phone (330) 637-8816 · Fax (330) 637-4588

Chairman: Curtis Lonsbrough · Vice Chairman: Rita Benoit

Walter Maycher · Howard Wetzel · Chuck Sayers

Secretary: Jeannie Eddy

Bazetta Township Trustees
3372 State Route 5 NE
Cortland, Ohio 44410

February 22, 2018

RE: Recommendation for text revision to the Bazetta Township Zoning Resolution

Dear Board of Trustees:

At a Special Public Hearing of the Township Zoning Commission held on the 17th day of January 2018. The Zoning Commission **Recommended** the **Adoption** of the proposed text revision Section 5 Prohibited Uses.

Enclosed please find the following:

1. Resolution to consider Zone Change Amendments to the Bazetta Township Zoning Resolution.
2. Trumbull County Planning Commission recommendation.
3. January 17, 2018 Zoning Board Commission meeting minutes.

Sincerely,


Jeannie Eddy
Zoning Board Commission Secretary

Resolution No. 18-01-001

Township Zoning Commission

**RESOLUTION TO CONSIDER ZONING TEXT AMENDMENT(S)
TO THE TOWNSHIP ZONING RESOLUTION
(§519.12(2) OR)**

Moved by: Howrd Wetzel, Seconded by: Rita Benoit

WHEREAS, the board of Zoning Commissioners has determined that it is in the interest of the public health and safety of the township to recommend adoption of the proposed text revision

Section 5: Prohibited Uses

Removal of: unless such dumping is done at a place provided or approved by the Bazetta Township Trustees for specific purposes.

THEREFORE BE IT RESOLVED, that the following text revision to the Township Zoning Resolution be considered for recommendation of approval to the Township Board of Trustees.

Bazetta Township Zoning Commission

3372 State Route 5, N.E. · Cortland, Ohio 44410

Phone (330) 637-8816 · Fax (330) 637-4588

Chairman: Curtis Lonsbrough · Vice Chairman: Rita Benoit

Walter Maycher · Howard Wetzel · Chuck Sayers

Secretary: Jeannie Eddy

On January 17, 2018 at 6:41PM at the Township Administration Building the Bazetta Zoning Commission held a Public Hearing.

Members Present: Curtis Lonsbrough, Rita Benoit, Walter Maycher and Howard Wetzel

Members Absent: Chuck Sayers

Also Present: Secretary Jeannie Eddy,

Chairman Lonsbrough called the meeting to order at 6:41PM.

Chairman Lonsbrough asked Secretary Jeannie Eddy to take a roll call of members.

Secretary read the Legal Notice published in the Warren Tribune.

(see attached)

Secretary read the recommendations from Trumbull County Planning Commission.

(see attached)

Howard Wetzel made a motion to recommend the adoption of the proposed text revision to the Bazetta Township Zoning Resolution regarding

Section 5: Prohibited Uses

Removal of: unless such dumping is done at a place provided or approved by the Bazetta Township Trustees for specific purposes.

Rita Benoit seconded the motion.

Roll Call Vote: Curtis Lonsbrough **YES**, Walter Maycher **YES**, Howard Wetzel **YES**,

Rita Benoit **YES**.

YES: 4

NAY: 0 Motion Passed

Rita Benoit made a motion to adjourn the hearing, seconded by Walter Maycher

Roll Call Vote: Curtis Lonsbrough YES, ,Walter Maycher YES, Howard Wetzel YES,
Rita Benoit YES.

YES: 4

NAY: 0 Motion Passed

Hearing was adjourned at 6:49PM

Curtis Lonsbrough, Chairman

Jeannie Eddy
Jeannie Eddy, Secretary



Trumbull County Planning Commission

www.planning.co.trumbull.oh.us

185 E. Market Street NE, Suite A • Warren, Ohio 44481

Telephone: (330) 675-2480 • Fax: (330) 675-2790

Trish A. Nuskievicz
Executive Director

December 18, 2017

Ms. Jeannie Eddy, Secretary
Bazetta Township Zoning Commission
2671 McCleary Jacoby Rd.
Cortland, OH 44410

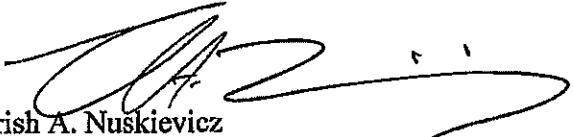
Dear Ms. Eddy:

Re: Z-2017-16 – Zoning Text Amendments – Bazetta Township

Enclosed is a copy of Resolution No. 12-2017-63 which was adopted by the Trumbull County Planning Commission at its regular board meeting on December 12, 2017. This resolution approves the request for approval of the above-mentioned replat. Also enclosed is a copy of the Plats and Zoning Committee meeting minutes of December 5, 2017.

If you have any questions or comments, please contact Rich Fender of this office.

Respectfully,



Trish A. Nuskievicz
Executive Director

caw

Enclosures

RESOLUTION NO. 12-2017-63

ZONING

WHEREAS: The Plats and Zoning Committee of the Trumbull County Planning Commission met on December 5, 2017, and reviewed with the Commission staff all pertinent documentation, research, and data relative to case number Z-2017-16 entitled Zoning Text Amendments, Bazetta Township; and

WHEREAS: The minutes of this meeting are on file; and

WHEREAS: The proposed zoning text amendments are in conformity with the Bazetta Township Comprehensive Plan; and

WHEREAS: The Plats and Zoning Committee of the Trumbull County Planning Commission has determined that the proposed zoning text amendments are in the best interest of Bazetta Township;

**NOW, THEREFORE,
BE IT RESOLVED:** That the Plats and Zoning Committee of the Trumbull County Planning Commission recommends approval of the proposed zoning text amendments;

**NOW, THEREFORE,
BE IT RESOLVED:** That the Trumbull County Planning Commission approves the forwarding of the proposed zoning text amendments to the Township of Bazetta.

**Trumbull County Planning Commission
Plats and Zoning Meeting
Tuesday, December 5, 2017**

A meeting of the Plats and Zoning Committee of the Trumbull County Planning Commission was held on Tuesday, December 05, 2017, at 9:00 a.m. in the Conference Room of the Trumbull County Planning Commission. Those in attendance included the following:

Lewis Kostoff, Chairman
Jeff Brown
John Mahan
James Shader

Trish Nuskievicz, Director
Shane Burkholder
Rich Fender
Cheryl Wood

PLATS:

**P-2016-19 – CARDINAL ESTATES PLAT NO. 3 – VIENNA TOWNSHIP –
RESUBMITTED 10/25/2017**

Applicant: Rocco Sedall-Cardinal Land Company

Owner: Cardinal Land Company

Parcel: 16-069250

Location: Turkey Run Road, Vienna Township

Proposal: Plat 5 lots at the end of a previously constructed cul-de-sac

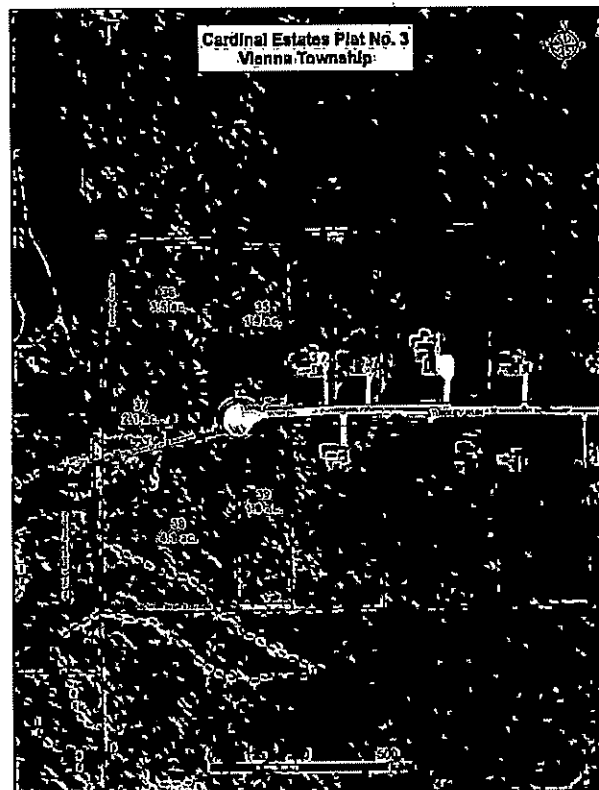
Proposed Lot Dimensions

Lot 35:

- 186.00' approx. frontage at ROW
- 175.00' approx. frontage at building set back
- 492.99' approx. depth
- 1.90 acres

Lot 36:

- 52.30' approx. frontage at ROW
- 152.00' approx. frontage at building set back
- 457.60' approx. depth
- 3.50 acres



P-2016-19, continued

Lot 37:

- 82.60' approx. frontage at ROW
- 175.00' approx. frontage at building setback
- 439.90' approx. depth
- 2.10 acres

Lot 38:

- 75.90' approx. frontage at ROW
- 215.00' approx. frontage at building set back
- 459.00' approx. depth
- 4.10 acres

Lot 39:

- 196.00' approx. frontage at ROW
- 175.00' approx. frontage at building set back
- 528.93' approx. depth
- 1.90 acres

Site Conditions/Improvements

- The lot is vacant, wooded land.
- The cul-de-sac and roadway improvements are already constructed.
- The area is served with public water.
- The area is not served by sanitary sewer.
- There is a 20' storm drain easement located on the property.
- There is a gas line at the western edge of the property.
- Lots 37 and 38 are partially located in the 100 year floodplain.

Agency Comments

Planning Commission:

- The area is zoned residential.
- The preliminary plan for this project was approved by the Planning Commission in 1996. Two phases of the development have been platted since 1996. This submittal is for the third and final section consisting of five lots.
- Preliminary plan approval for this phase of the project was approved by the Planning Commission on May 10, 2016.
- This plat was originally approved in September of 2016. Since the subdivider failed to record the plat within 60 days according to Section 311.45 of the Subdivision Regulations, Final Plat Expiration, the plat approval expired and became void.
- The proposed plat is compliant with Trumbull County Subdivision Regulations.

P-2016-19, continued

Vienna Township:

- Vienna Township Trustees have been contacted.
- Vienna Township Zoning has no objection to the proposed plat.

Trumbull County Health Department:

- The Health Department has no objection to the proposed plat.

County Highway Engineer:

- The County Highway Engineer has no objection to the proposed plat.

County Sanitary Engineer:

- The County Sanitary Engineer has no objection to the proposed plat.

Soil & Water:

- Soil and Water has advised the replat plan contains a 100 year floodplain as shown on the Trumbull County Auditor's GIS, contains wetlands as shown on the National Wetland Inventory Map and USDA Web Soil Survey. Construction in wetlands and or streams may require permits through the Army Corps of Engineers and or the Ohio EPA.

Recommendation

Mr. Shader made a motion to approve the Cardinal Estates Plat No. 3 in Vienna Township, subject to approval from all required agencies; seconded by Mr. Mahan. The motion carried.

P-2017-26 – REPLAT OF LOTS 513-522 OF GOLDEN GATE ALLOTMENT – NEWTON TOWNSHIP – SUBMITTED 11/01/2017

Applicant: Mike Matas

Owner: Dessie Matas

Parcel: 51-459300

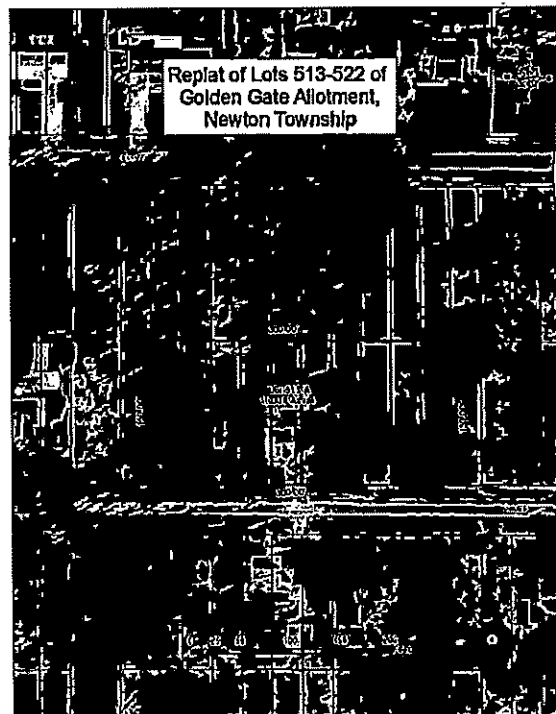
Location: 5270 Niles Avenue, Newton Township

Proposal: The Trumbull County Health Department is requiring the owner to combine the lots for the upgrade of a septic system to facilitate a real estate transaction

Proposed Lot Dimension:

513-A:

- 300.00 feet of frontage
- 150.00 feet of depth



P-2017-26, continued

- 1.0330 acres

Site Conditions/Improvements:

- Lot 513-A has a house and a detached garage.
- The proposed lot is not served by public water or sewer.
- The lots are zoned R-1 Single Family Residential.

Agency Comments:

Planning Commission:

- The proposed parcel being less than 1.5 acres has an insufficient area for a lot not served by public water and sewer. As the replat is being required by the Trumbull County Health Department for a Home Sewage Treatment System upgrade it is exempt from the lot area requirements of the Trumbull County Subdivision Regulation under Section 305.05

Newton Township:

- Newton Township trustees have been contacted. A response is pending.
- Newton Township zoning has been contacted. A response is pending.

Trumbull County Health Department:

- The Health Department has approved.

Trumbull County Engineer:

- The Trumbull County Engineer has no objections.

Trumbull County Sanitary Engineer:

- The Sanitary Engineer has no reservations concerning approval.

Soil and Water Conservation District:

- The Trumbull County Soil and Water Conservation District has no current projects and no sensitive areas as shown in the Trumbull County's GIS and National Wetland inventory map.

Recommendation:

Mr. Brown made a motion to approve of the proposed replat of Lots 513-522 of Golden Gate Allotment in Newton Township, subject to approvals of all required agencies; seconded by Mr. Mahan. The motion carried.

Z-2017-16, continued

Recommendation:

Mr. Shader made a motion to approve the proposed change to the Bazetta Township Zoning Resolution; seconded by Mr. Mahan. The motion carried.

OTHER BUSINESS:

Trumbull County Subdivision Regulations:

1. 101.00 Scope
2. 200.00 Administration, Enforcement and Interpretation
3. 202.00 Amendments
4. 203.00 Variances, Exceptions and Waivers of Conditions
5. 302.05 Requirements for Minor Subdivision
6. 302.10 Submittal Requirements for Minor Subdivision
7. 302.15 Administrative Procedure and Approval for Minor Subdivision
8. 305.05 Replat for Home Sewage Treatment System Upgrades
9. 309.15 Preliminary Development Plan Content
10. 311.20 Final Plat Contents
11. 403.00 Subdivision and Site Design
12. 404.35 Buffers
13. 405.15 Lot Dimensions
14. 405.20 Lot Frontage
15. 405.50 Access
16. 526.00 Monumentation
17. 700.00 Floodplain Areas
18. 705.00 Landscaping
19. 705.50 Shade Trees
20. 706.00 Buffering and Buffer Strips
21. 809.00 Surveying and Monumentation
22. 811.00 Performance Guarantee for Installation of Improvements
23. 811.20 Failure to Complete Improvements
24. 900.10 Glossary

Mr. Shader made a motion to approve the amendments to the Trumbull County Subdivision Regulations, as approved by the Board of Trumbull County Commissioners on October 18, 2017 and duly recorded in Journal Volume 147, Page(s) 21170; seconded by Mr. Brown. The motion carried.

Signed _____

Date _____

**P-2017-27 – CLAUDETTE B. POE PLAT NO. 1 - WEATHERSFIELD TOWNSHIP –
SUBMITTED 11/01/2017**

Applicant: Surveyor Matt Hart-Advanced Land
Measurement

Owner: Claudette B. Poe

Parcels: 21-088700, 21-088600, 21-900967 and 21-
103560

Location: Salt Springs and Ohltown McDonald
Roads in Weathersfield Township

Proposal: Currently the owner has two homes that
sit on one parcel and another home that sits on a
landlocked parcel. The property owner wishes to
create three lots so that each home has its own lot
with frontage

Proposed Lot Dimensions:

Lot 1:

- 81.90' feet of frontage
- 185.2' feet of depth
- .4132 acres

Lot 2:

- 125.06' feet of frontage
- 496.6 feet of depth
- 1.7040 acres

Lot 3:

- 73.30 feet of frontage
- 582.1 feet of depth
- 3.1181 acres

Site Conditions/Improvements:

- Lot 1 has a house.
- Lot 2 has a house.
- Lot 3 has a house.
- The lots are not served by public sewer but have public water.
- The lots are zoned Residential A Single Family Homes.



P-2017-27, continued

Agency Comments:

Planning Commission:

- Lot 1 has insufficient frontage and area for a lot lacking public sewer. Variances from sections 405.15 Lot Dimensions and 405.20 Lot Frontage are required for this lot. Lots 2 and 3 have insufficient frontage for lots lacking public sewer and will require variances from section 405.20 Lot Frontage.

Weathersfield Township:

- Weathersfield Township trustees have been contacted. A response is pending.
- Weathersfield Township zoning has approved.

Trumbull County Health Department:

- The Health Department has is reviewing.

Trumbull County Engineer:

- The Trumbull County Engineer has no objections.

Trumbull County Sanitary Engineer:

- The Sanitary Engineer has no reservations concerning approval.

Soil and Water Conservation District:

- The Trumbull County Soil and Water Conservation District has no current projects and no sensitive areas as shown in the Trumbull County's GIS and National Wetland inventory map.

Recommendation:

Mr. and Mrs. Odell Poe were in attendance. Mr. Mahan made a motion to approve variances from Sections 405.15 Lot Dimensions and 405.20 Lot Frontage of the Trumbull County Subdivision Regulations, as well as approval of the Claudette B. Poe Plat No. 1. in Wethersfield Township, since the proposed plat resolves the issues of having two homes on one parcel, as well as an additional home on a landlocked parcel, subject to the approval of all required agencies; seconded by Mr. Shader. The motion carried.

P-2017-28 – REPLAT LOTS 3 & 4 MCCULLAGH'S RIVERVIEW PLAT AND PART OF SECTION 9 - NEWTON TOWNSHIP – SUBMITTED 11/22/2017

Applicant: Pat Ballantine-Title Agent-South Park Title Agency.

Owner: Eldon H. Shonce

Parcels: 51-023400, 51-23425 and 51-23450

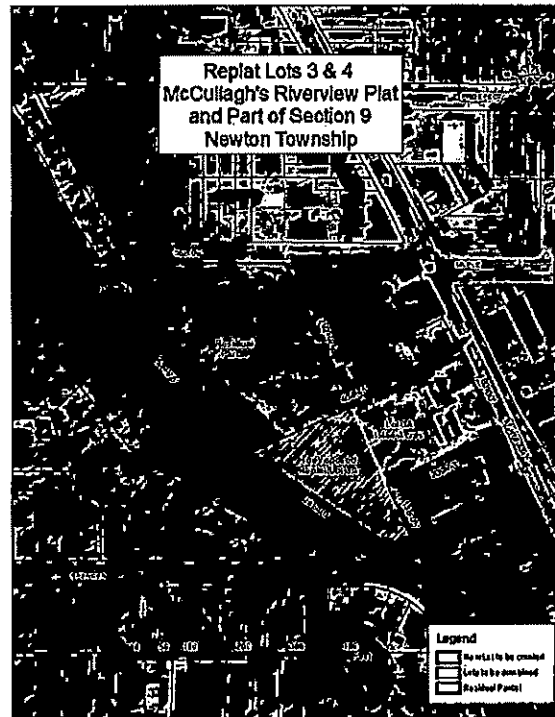
Location: 2242 Milton Boulevard, Newton Township

Proposal: The owner has a home that sits on two lots that the proposed replat will combine into a newly created lot. This newly created lot is also proposed to have land added to it by splitting an adjoining parcel in the rear

Proposed Lot Dimension:

3A:

- 160.00 feet of frontage
- 337.07 feet of depth
- 1.464 acres



Site Conditions/Improvements:

- Lot 3A has a house.
- The proposed lot is served by public water but not public sewer.

Agency Comments:

Planning Commission:

- The Lot to be replated is less than an acre and a half in area and is not served by public sewer. A variance from Section 405.15 Lot Dimensions will be required for this lot.
- The residual parcel from the proposed replat continues to be landlocked and will require a variance under Section 405.20 Lot Frontage of the Trumbull County Subdivision Regulations.

Newton Township:

- Newton Township trustees have been contacted. A response is pending.
- Newton Township zoning has been contacted. A response is pending.

P-2017-28, continued

Trumbull County Health Department:

- The Health Department has approved.

Trumbull County Engineer:

- The Trumbull County Engineer has no objections.

Trumbull County Sanitary Engineer:

- The Sanitary Engineer has no reservations concerning approval.

Soil and Water Conservation District:

- The Trumbull County Soil and Water Conservation District has advised this plan is located adjacent to the Mahoning River and contains a 100 year floodplain as shown on the Trumbull County Auditor's GIS. Construction within the Mahoning River may require permits through the Army Corps of Engineers and or the EPA.

Recommendation:

Ms. Pat Ballantine of South Park Title Agency was in attendance. Mr. Mahan made a motion to deny variances from Section 405.20 Lot Frontage and 405.15 Lot Dimensions, as well as denial of Replat of Lots 3 & 4 McCullagh's Review Plat & Part of Section 9 Newton Township, due to the residual parcel continuing to be landlocked, subject to approvals of all required agencies; seconded by Mr. Brown. The motion carried.

ZONING:

Z-2017-16 Proposed Zoning Text Amendments

Township: Bazetta Township

Initiated by: Bazetta Township Zoning Board

Section 5: Prohibited Uses

- Dumping, storing, burying reducing, disposing of or burning garbage, refuse, scrap metal, rubbish, offal or dead animals, ~~unless such dumping is done at a place provided or approved by the Bazetta Township Trustees for specific purposes.~~

Comments:

- Currently, township zoning allows dumping only at locations provided or approved by the Bezetta Township Trustees. With this text change dumping will be prohibited at all locations in the township.
- It is recommended that the Township's legal counsel review all zoning text changes.