

BAZETTA TOWNSHIP TRUSTEES ZONING HEARING MINUTES

Date: June 26, 2017 at 5:00pm
Bazetta Township Administration Building
3372 State Route 5
Cortland, Ohio 44410

Present:

Vice Chairman Trustee Frank Parke
Chairman Trustee Ted Webb
Fiscal Officer Rita Kay 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 following Introduction Speech
 - This public hearing is being held pursuant to Section 519.12 of the Ohio Revised Code for the purpose of receiving public comment and testimony regarding a proposed amendment to the Zoning Map of the Township Zoning Resolution.
- Fiscal Officer Drew read the attached Legal Ad and Notice of Publication
- Fiscal Officer Drew read the attached Application for Zone Change
- Fiscal Officer Drew read the attached Trumbull County Planning Commission recommendation
- Fiscal Officer Drew read the Bazetta Township Zoning Commission recommendation
- Trustee Webb read the following Taking of Testimony Speech
 - The Board of Trustees will now take comments and testimony from the general public regarding the proposed zoning amendment to the Township Zoning Resolution
 - In order to receive public comment and testimony in an orderly fashion, the following procedure will be followed
 - Please note that, because this is a not quasi-judicial proceeding, reviewable by the court, people giving comments and testimony need not give testimony under oath so swearing in of persons is not necessary
 - Anyone wishing to offer comment or testimony to the Board of Trustees shall raise their hands and be recognized by the Chairman
 - Upon being recognized, you will please stand, state your name and address and then present your comments or testimony
 - We ask that you keep your comments and testimony concise and to the point so that all persons wishing to testify can be afforded an opportunity to do so tonight
- Testimony of Petitioner for a Zone Change
 - Stephanie Hovis of 3494 State Route 5 had nothing to offer other than they are doing this for future reference

- Testimony of Residents
 - Proponents
 - Robert Freeman, Owner of Super Tire at 3485 State Route 5, was in favor of the change because he thinks that whole strip of Route 5 should be zoned commercial
 - Opponents
 - None
- Discussion and comment by the Board of Trustees
 - Consensus was to take the vote now rather than wait until the Regular Meeting

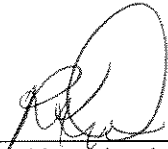
151-17 To approve the attached *Application for Zone Change*.

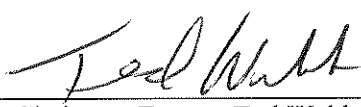
Motion: Trustee Webb
Second: Trustee Parke
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

- Trustee Webb noted that the change will take 30 days to go into effect

152-17 To adjourn the hearing at 5:11pm.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes


 _____ Dated: 06-28-17
 Attested by: Fiscal Officer Rita Kay Drew


 _____ Dated: 7/10/17
 Approved by: Chairman Trustee Ted Webb



Bazetta Township Trustees

3372 State Route 5, N.E. – Cortland, Ohio 44410-1699
Office Phone: 330-637-8816 / Fax: 330-637-4588
www.bazettatwp.org



June 6, 2017

Tribune Chronicle
Cindy Simpson, Legal Ad Classifieds
240 Franklin Road
Warren, OH 44483

The Board of Trustees of Bazetta Township, Trumbull County, Ohio, gives notice that a Public Hearing will be held on the 26th day of June, 2017 at 5:00 PM at the Township Administration Building located at 3372 State Route 5, N. E., Cortland, Ohio on the Application for a Zone Change Amendment changing the use classification of the following property:

Owner: Michael and Stephanie Hovis
Property Address: 3494 State Route 5 Cortland, Ohio 44410
Tax Parcel ID#: 33-043500
Current Classification: R-1
Proposed Classification: C-3

A copy of the application for the zone change is on file with the Fiscal Officer and is available for inspection and copying upon request to the Fiscal Officer at (330) 637-8816.

All persons have a right to appear in person or by representation to question the owner or give testimony for or against the proposed zone change amendment.

At the conclusion of the hearing, the matter will be submitted to the Board of Trustees for its action.

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

Bazetta Township Administration

3372 State Route 5, N.E. *Cortland, Ohio 44410
Office: 330-637-8816 Fax: 330-637-4688

APPLICATION FOR ZONING CHANGE

To the Bazetta Township Zoning Commission, Trumbull County, Ohio:

The undersigned owner of the property described on the attached "Property Description Form" hereby makes application to the Bazetta Township Zoning Commission and the Bazetta Township Board of Trustees for an amendment to the present Bazetta Township Zoning Ordinance as follows:

- Property Owner's: Name MICHAEL & STEPHANIE HOVIS
Address 3488 SRS
Phone 330-637-1326
- Street Address (location) of Property of which Zone Change is requested:
3494 SRS
- The property is now zoned as: R-1 Please state one of the following: Residential (R-1 or R-2); Residential Apartments (RA), Manufactured Home Park (MH), Commercial (C-1, C-2, C-3), or Industrial (I).
- The Zone Change being requested is: C-3 (State one of the above zones).
- State your reason for requesting this zone change.
HAVE HAD DISCUSSION WITH SEVERAL BUSINESS OWNERS ABOUT RENTING OR PURCHASING THE PROPERTY
- Describe in detail your proposed plan of operational use for this property:
PLAN TO EITHER MOVE MY BUSINESS INTO IT OR SELL THE PROPERTY TO ANOTHER BUSINESS OWNER.
- No Attorney for an applicant is required; however, if you wish to hire one and want your attorney to be notified of the public hearing date regarding this zone change, please list his name and complete address:

PROPERTY DESCRIPTION FORM

The following described property is that for which an amendment to the present Bazetta Township Zoning Ordinance is being requested in attached application and which is hereby incorporated into and made a part of said application.

1. Property Owners Name: Michael J Houis - Stephanie A. Houis

2. List the streets or roads by which the property is surrounded - indicate direction (north, south, east, or west): SR 46 & SR 305

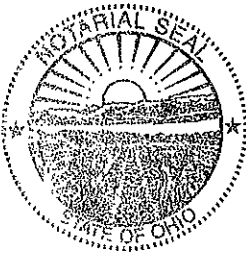
3. State the number and type of buildings which now occupy the property:
2 - BUILDINGS

4. Attach the following documents (which will also become a part of this application and property description):
A. Copy of the Property Deed or Legal Description
B. Plot Plan Sketch of the Property showing:
(a) Location of present buildings thereon
(b) Owner's name and location of properties neighboring to and directly across the street from the subject property of this application.
C. A list of names and addresses from tax duplicate of All Owners of property adjacent to and directly across the street from the subject property of this application.

		Percent of Ownership%
5. Owner/Owners Signature:	<u>[Signature]</u>	<u>50%</u>
	<u>[Signature]</u>	<u>50%</u>

6. This form must be notarized: State of Ohio, Trumbull County

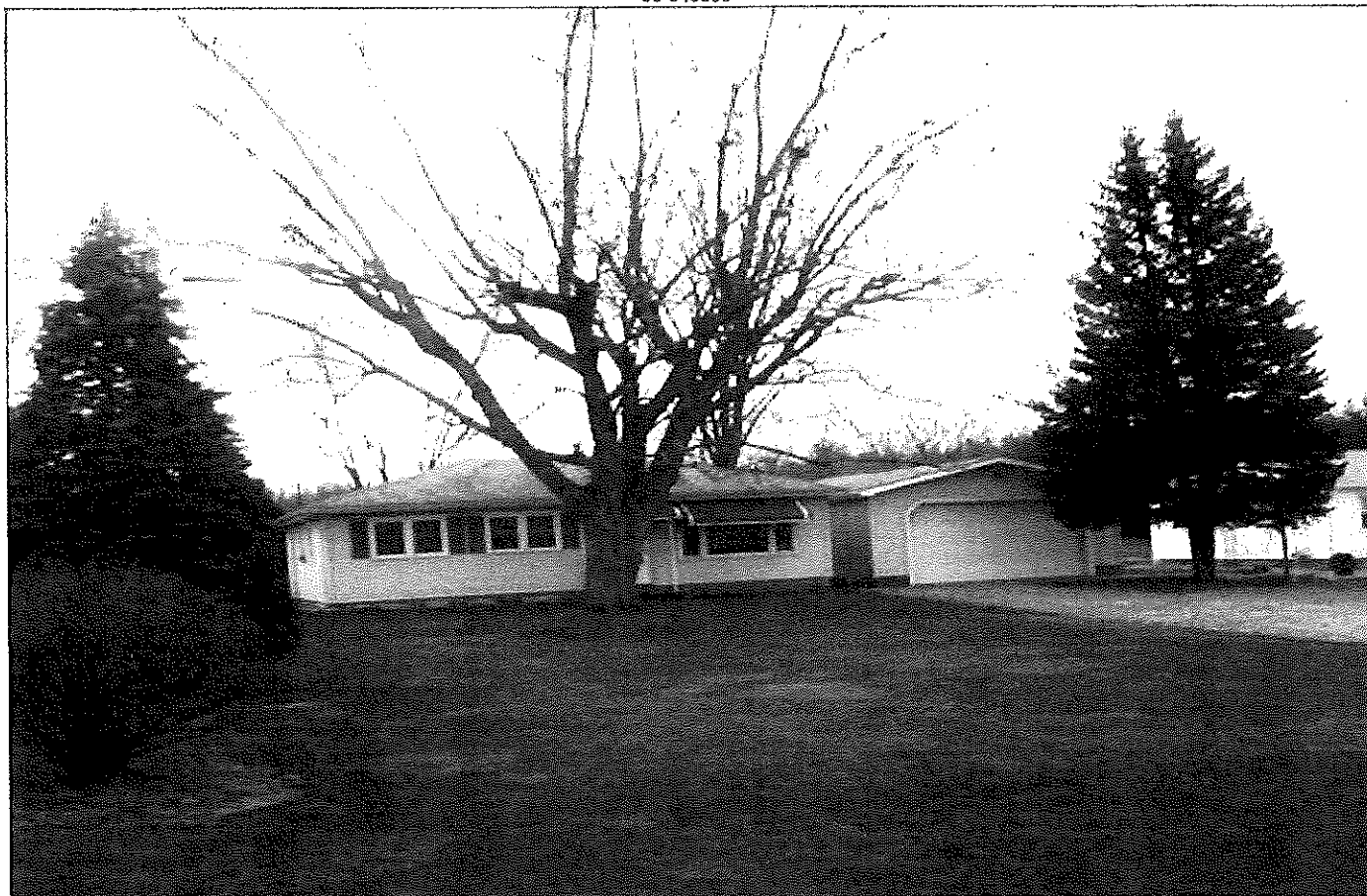
Sworn to and subscribed in my presence this 10 day of April, 2017



JOEL E DAVIS
 Notary Public
 In and for the State of Ohio
 My Commission Expires
 September 06, 2019

[Signature]
 Notary Public

33-043500



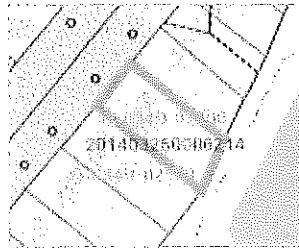
33-043500 04/06/2015

Notes

Data For Parcel 33-029181

Base Data

Parcel: 33-029181
Owner: MJH J/S SAH
Address: 3488 STATE ROUTE 5
Dist/Map/Route: 33034B02400



Tax Mailing Address

Tax Mailing Name: MJH
Address: 3488 STATE RT 5
City State Zip: CORTLAND OH 44410

Owner Address

Owner Name: MJH J/S SAH
Address:
City State Zip:

Geographic

City: UNINCORPORATED
Township: BAZETTA TOWNSHIP
School District: LAKEVIEW LSD
Tax District: 33 - BAZETTA TWP EAST - LAKEVIEW LSD

Legal

Legal Acres:	0.5441	Homestead Reduction:	NO
Legal Description:	7 100F PT STATE ROUTE 5 BAZETTA TWP EAST	2.5% Reduction:	YES
Land Use:	518 - 1-FAMILY - ON COMMERCIAL	Foreclosure:	NO
Neighborhood:	27100	Board of Revision:	NO
Number Of Cards:	1	New Construction:	NO
Annual Tax (Does not include delinquencies.):	\$2,313.70	Divided Property:	NO
Map Number:	034B02400	Routing Number:	034B02400

Photos



33-029181 04/06/2015

[+] Click to enlarge.

Notes

Notes:

DEED NUMBER: 967

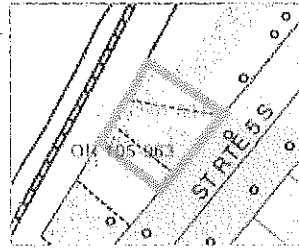
GIS parcel shapefile last updated 4/3/2017 5:22:28 AM.

CAMA database last updated 4/1/2017 4:16:18 AM.

Data For Parcel 33-030420

Base Data

Parcel:	33-030420
Owner:	ROBERT L FREEMAN JR
Address:	3485 STATE ROUTE 5
Dist/Map/Route:	33034B00400



Tax Mailing Address

Tax Mailing Name:	ROBERT L FREEMAN JR
Address:	291 FOWLER ST
City State Zip:	CORTLAND OH 44410

Owner Address

Owner Name:	ROBERT L FREEMAN JR
Address:	
City State Zip:	

Geographic

City:	UNINCORPORATED
Township:	BAZETTA TOWNSHIP
School District:	LAKEVIEW LSD
Tax District:	33 - BAZETTA TWP EAST - LAKEVIEW LSD

Legal

Legal Acres:	0.6273	Homestead Reduction:	NO
Legal Description:	REPLAT 25A 178.66FCASTERLINE PLAT #1 .6273AWARREN MEADVILLE RD	2.5% Reduction	NO
Land Use:	455 - COMMERCIAL GARAGES	Foreclosure:	NO
Neighborhood:	27100	Board of Revision:	NO
Number Of Cards:	1	New Construction:	NO
Annual Tax (Does not include delinquencies.):	\$3,713.59	Divided Property:	NO
Map Number:	034B00400	Routing Number:	034B00400

Photos



33-030420 04/03/2015

[+] Click to enlarge.

Notes

Notes:

DEED NUMBER:

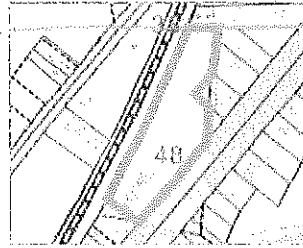
GIS parcel shapefile last updated 4/3/2017 5:22:28 AM.

CAMA database last updated 4/1/2017 4:16:18 AM.

Data For Parcel 33-075201

Base Data

Parcel: 33-075201
Owner: MAZI PROPERTIES -CORTLAND LLC
Address: 3497 STATE ROUTE 5
Dist/Map/Route: 33034B00500



Tax Mailing Address

Tax Mailing Name: MAZI PROPERTIES
Address: P O BOX 367
City State Zip: CORTLAND OH 44410

Owner Address

Owner Name: MAZI PROPERTIES - CORTLAND LLC
Address:
City State Zip:

Geographic

City: UNINCORPORATED
Township: BAZETTA TOWNSHIP
School District: LAKEVIEW LSD
Tax District: 33 - BAZETTA TWP EAST - LAKEVIEW LSD

Legal

Legal Acres:	3.2827	Homestead Reduction:	NO
Legal Description:	48 2 267.38F 3.2827A RESIDUEWARREN MEADVILLE RD	2.5% Reduction	NO
Land Use:	429 - OTHER RETAIL STRUCTURES	Foreclosure:	NO
Neighborhood:	27100	Board of Revision:	NO
Number Of Cards:	3	New Construction:	NO
Annual Tax (Does not include delinquencies.):	\$6,377.77	Divided Property:	NO
Map Number:	034B00500	Routing Number:	034B00500

Photos



33-075201 04/06/2018

[+] Click to enlarge.

Notes

Notes:

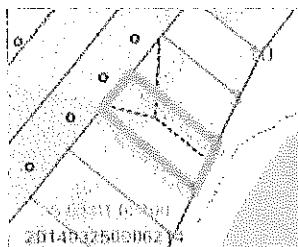
DEED NUMBER:

GIS parcel shapefile last updated 4/3/2017 5:22:28 AM.
CAMA database last updated 4/1/2017 4:16:18 AM.

Data For Parcel 33-017700

Base Data

Parcel: 33-017700
Owner: RICHARD A GORMAN JR J/S AUDREY E ZIMMERMAN
Address: 3500 STATE ROUTE 5
Dist/Map/Route: 33034B02200



Tax Mailing Address

Tax Mailing Name: RICHARD A GORMAN JR
Address: 8241 DOW CIRCLE W
City State Zip: STRONGSVILLE OH 44136

Owner Address

Owner Name: RICHARD A GORMAN JR J/S AUDREY E ZIMMERMANN
Address:
City State Zip:

Geographic

City: UNINCORPORATED
Township: BAZETTA TOWNSHIP
School District: LAKEVIEW LSD
Tax District: 33 - BAZETTA TWP EAST - LAKEVIEW LSD

Legal

Legal Acres:	0.3526	Homestead Reduction:	NO
Legal Description:	2 80.52F PETROCCO REP WARREN MEADVILLE RD CSTERLNE BAZ	2.5% Reduction:	NO
Land Use:	518 - 1-FAMILY - ON COMMERCIAL	Foreclosure:	NO
Neighborhood:	27100	Board of Revision:	NO
Number Of Cards:	1	New Construction:	NO
Annual Tax (Does not include delinquencies.):	\$1,434.26	Divided Property:	NO
Map Number:	034B02200	Routing Number:	034B02200

Photos



33-017700 04/08/2015

[+] Click to enlarge.

Notes

Notes:	DEED NUMBER: 3449

GIS parcel shapefile last updated 4/3/2017 5:22:28 AM.
CAMA database last updated 4/1/2017 4:16:18 AM.

**Adopted by the Trumbull County
Planning Commission on May 9, 2017**

RESOLUTION NO. 5-2017-23

ZONING

- WHEREAS: The Plats and Zoning Committee of the Trumbull County Planning Commission met on May 2, 2017, and reviewed with the Commission staff all pertinent documentation, research, and data relative to case number Z-2017-7 entitled Residential (R1) to Commercial (C3) – Bazetta Township; and
- WHEREAS: The minutes of this meeting are on file; and
- WHEREAS: The proposed zone change is in conformity with the Trumbull County and Bazetta Township Comprehensive Plans; and
- WHEREAS: The Plats and Zoning Committee of the Trumbull County Planning Commission has determined that the proposed zone change is in the best interest of Bazetta Township;
- NOW, THEREFORE,
BE IT RESOLVED: That the Trumbull County Planning Commission recommends approval of the proposed zone change;
- NOW, THEREFORE,
BE IT RESOLVED: That the Trumbull County Planning Commission approves the forwarding of the proposed correspondence to the Township of Bazetta.

**Z-2017-7 - RESIDENTIAL (R1) TO COMMERCIAL (C3) – BAZETTA TOWNSHIP
SUBMITTED:**

Owner: Michael and Stephanie
Hovis

Parcel: 33-043500

Location: 3494 State Route 5,
Bazetta Township

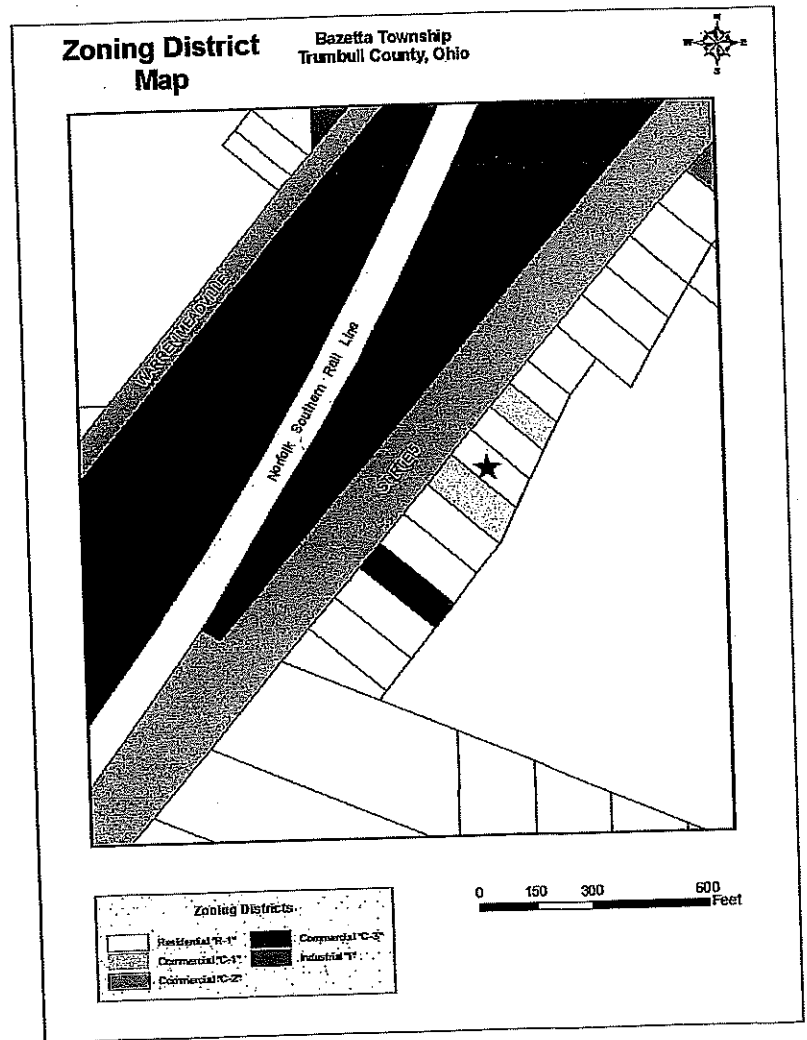
Proposal: The applicant desires to change the zoning of parcel 33-043500 from Residential “R1” to Commercial “C3” in order to facilitate the reuse, rental or sale of a house for a commercial use. Specific potential uses of the subject property mentioned by the applicant include a car detailing or embroidery business.

Zoning:

- The applicant’s parcel is currently zoned Residential “R1.” This designation allows for single-family dwellings.
- The owner would like their property rezoned to Commercial “C3” which allows for a variety of uses including but not limited to banks, photography studios, clothing shops, barber shops, and dry cleaners.
- The subject property is in a Residential “R1” district.

Site and Area Description:

- The parcel in question is on State Route 5 in Bazetta Township approximately 1,500 feet south of the Cortland Corporation limit.



**Trumbull County Planning Commission
Plats and Zoning Committee Meeting
May 2, 2017 - Page 14**

Z-2017-7, continued

- Both the zoning and land uses across the street and south of the subject property are commercial in nature. The property to the north of the subject property is residential. The property to the rear of the applicant's property is a commercial mobile home park.
- Sanitary sewer is available at the site. The site does not have public water.

Trumbull County Planning Commission Comments:

- The 2009 Bazetta Township comprehensive plan text states that future commercial development along this segment of State Route 5 should be small retail shops and professional facilities. The township's future land use map allows for commercial uses across the street from the subject property as well as to the rear of the property (where the mobile home park is located).

Bazetta Township Zoning Comments:

- The township zoning commission is waiting for the Planning Commission's recommendation before taking a position on the matter.

Recommendation:

Mr. Mahan made a motion recommending approval of the proposed zone change for parcel 33-043500 in Bazetta Township because of its compatibility with the township's future land use text as well as the fact that the township's zoning regulations allow for nearby commercial uses. The motion was seconded by Mr. Shader and carried.

**Z-2017-8 - ZONING TEXT AMENDMENTS – BRISTOL TOWNSHIP
SUBMITTED: 4/13/2017**

Section 5 Classification of Uses: "R Districts Residential"

- This section is being modified by adding intermodal/shipping containers as a conditional use in the residential zoning district.

Resolution No. 17-05-001

Township Zoning Commission

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

Moved by: Walter Maycher, Seconded by: Chuck Sayers

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 zoning amendment to re-zone Parcel number 33-043500 owned by Michael and Stephanie Hovis from "Residential R-1" to "Commercial C-3".

THEREFORE BE IT RESOLVED, that the following zoning amendment 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

April 11, 2017

Attention: Rich Fender
Trumbull County Planning Commission
185 East Market Street
Suite A
Warren, Ohio 44481

RE:-BAZETTA TOWNSHIP ZONE CHANGE

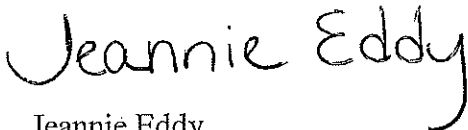
Dear Mr. Fender;

Enclosed is a copy of a

- proposed map amendment (s)
- proposed text amendment (s)
- application for zone change (s)

to the Bazetta Township Zoning Resolution. Pursuant to Section 519.12 ORC, please review and provide use with your recommendation for the approval, denial, or modification of the proposed amendment to the Zoning Resolution.

Sincerely,



Jeannie Eddy
Zoning 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

May 9, 2017

Ms. Jeannie Eddy, Secretary
Bazetta Township Zoning Commission
3372 State Route 5, N.E.
Cortland, OH 44410

Dear Ms. Eddy:

Re: Z-2017-7 – Residential (R1) to Commercial (C3) - Bazetta Township

Enclosed is a copy of Resolution No. 5-2017-23 which was adopted by the Trumbull County Planning Commission at its regular board meeting on May 9, 2017. This resolution recommends approval of the proposed zone change of Residential (R1) to Commercial (C3) for property located at 3494 State Route 5, Bazetta Township. Also enclosed is a copy of the Plats and Zoning Committee meeting minutes of May 2, 2017.

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

Respectfully,

Trish A. Nuskievicz
Director

etc

Enclosures

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

May 24, 2017

RE: Recommendation for Zone Change to the Bazetta Township Zoning Resolution

Dear Board of Trustees:

At a Special Public Hearing of the Township Zoning Commission held on the 24th day of May 2017. The Zoning Commission **Recommended** the **Adoption** of the proposed zoning amendment to re-zone Parcel number 33-043500 owned by Michael and Stephanie Hovis from "Residential R-1 to Commercial C-3" to the Bazetta Township Zoning Resolution.

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. May 24, 2017 Zoning Board Commission meeting minutes.

Sincerely,


Jeannie Eddy
Zoning Board Commission Secretary

UNAPPROVED MINUTES
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 May 24, 2017 at 6:30PM at the Township Administration Building the Bazetta Zoning Commission held a Public Hearing for a zone change.

Members Present: Curtis Lonsbrough, Walter Maycher, and Chuck Sayers.

Members Absent: Rita Benoit and Howard Wetzel

Also Present: Secretary Jeannie Eddy, Zoning Inspector Mike Mill, Michael and Stephanie Hovis

Chairman Lonsbrough called the hearing to order at 6:31 PM.

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

Chairman Lonsbrough asked Secretary Jeannie Eddy to read the legal ad publication in the Warren Tribune Chronicle.

- Please see attached copy of legal ad

Chairman Lonsbrough asked Secretary Jeannie Eddy to read the proposed zone change amendment.

- Please see attached copy of zone change application

Chairman Lonsbrough asked Secretary Jeannie Eddy to read the Trumbull County Planning Commission's recommendation.

- Please see attached copy of Trumbull County Planning Commission recommendations

Chairman Lonsbrough read the procedure for taking testimony from the petitioner and the public

Chairman Lonsbrough asked the petitioner if they had any comments to offer

- The petitioner Michael Hovis stated just what is on the application

Chairman Lonsbrough asked if anyone would like to speak in favor or against the proposed zone application.

- Zoning Inspector Mike Mills read the certified letter that he sent out to the parties involved in the zone change request and he also added that he recommended the zone change take place.

Chairman Lonsbrough asked the Board members if they had any comments or questions.

- The Board did not have any questions or comments

Chairman Lonsbrough entertained the motion to recommend either the adoption or denial of the proposed amendment to the zoning map (zone change to the Bazetta Township Board of Trustees.

Mr. Chairman, I Walter Maycher move to recommend the **adoption** of the proposed zoning amendment to re-zone Parcel number 33-043500 owned by Michael and Stephanie Hovis from Residential R-1 to Commercial C-3 to the Bazetta Township Board of Trustees.

Seconded by Chuck Sayers

Roll Call Vote: Curtis Lonsbrough YES, Walter Maycher YES, Chuck Sayers YES.

YES: 3

NAY: 0 Motion Passed

Walter Maycher made a motion to adjourn the meeting, seconded by Chuck Sayers.

Roll Call Vote: Chairman Lonsbrough YES, Walter Maycher YES, Chuck Sayers YES.

YES: 3

NAY: 0 Motion Passed

Chairman Lonsbrough adjourned the meeting at 6:40PM.

Curtis Lonsbrough, Chairman

Jeannie Eddy
Jeannie Eddy, Secretary

Bazetta Township Trustees

3372 State Route 5, N.E. – Cortland, Ohio 44410-1699

Office Phone: 330-637-8816 / Fax: 330-637-4588

www.bazettatwp.org

Informational Letter

Date: May 12, 2017

To: Neighboring Resident of 3494 State Route 5, Cortland, Ohio 44410

This letter is to inform you there has been a request made for a zone change from R-1 to C-3 at address 3494 State Route 5, Cortland, Ohio 44410 Parcel # 33-043500. There will be a public hearing on this matter at the Bazetta township administration building on May 24, 2017 at 6:30 pm. At that time you are invited to give any testimony regarding this zone change. This will begin promptly at 6:30pm. Thank you for your attention on this matter and for being a valuable resident of Bazetta township.

Regards

Michael D. Mills

Bazetta Township Zoning Inspector