

## **BAZETTA TOWNSHIP TRUSTEES ZONING HEARING MINUTES**

Date: September 25, 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
  - None

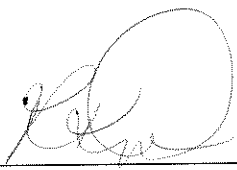
- Testimony of Residents
  - Proponents - None
  - Opponents - None
  
- Discussion and comment by the Board of Trustees
  - Trustee Parke said he looked it over and though they needed to move with the township Zoning Commission's recommendation
  - Trustee Webb seconded those thoughts and noted that there was no one here to oppose the application

**235-17** To approve the attached *Application for Zone Change*.

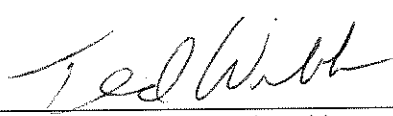
**Motion:** Trustee Parke  
**Second:** Trustee Webb  
**Vote:** Trustee Hovis – Absent      Trustee Parke - Yes      Trustee Webb - Yes

**236-17** To adjourn the hearing at 5:14pm.

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

  
 \_\_\_\_\_  
 Attested by: Fiscal Officer Rita Kay Drew

Dated: 09-25-17

  
 \_\_\_\_\_  
 Approved by: Chairman Trustee Ted Webb

Dated: 9/25/17

330-841-1798  
Fax

September 8, 2017

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

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The Board of Trustees of Bazetta Township, Trumbull County, Ohio, gives notice that a Public Hearing will be held on the 25th day of September, 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: William and Janine Brocious  
Property Address: 2787 Warren Meadville Rd. Cortland, Ohio 44410  
Tax Parcel ID#: 31-044085; 31-044086; 31-044087; 31-003465  
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

RECEIVED  
DATE  
JE 6-2-17

# Bazetta Township Administration

3372 State Route 5, N.E. \*Cortland, Ohio 44410  
Office: 330-637-8816 Fax: 330-637-4588

**\* 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:

1. Property Owner's: Name William L. and Janine Broccious JR.  
Address 2787 Warren-Meadville Rd.  
Phone 330-240-2604

2. Street Address (location) of Property of which Zone Change is requested:  
2787 Warren-Meadville Rd.

3. The property is now zoned as: Residential R1 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).

4. The Zone Change being requested is: Commercial C3 (State one of the above zones).

5. State your reason for requesting this zone change.  
To legally allow the public to rent the property for the day from us. To be able to apply for a business loan.

6. Describe in detail your proposed plan of operational use for this property:  
I would like to build a baen and allow the public to rent it. It would be used for weddings, graduations, family reunions, etc.

7. 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:

Frank R. Bador  
157 Porter St. NE  
Warren, Oh 44483

**\*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: William L. & Janine Bracious Jr.
2. List the streets or roads by which the property is surrounded - indicate direction (north, south, east, or west): North - Johnson Plank  
Durst-Colebrook  
East - Elm Rd (Rt. 5)     South - Rt. 305     West - Rt. 305
3. State the number and type of buildings which now occupy the property:  
1 house - 1 barn - 1 garage
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: William L. Bracious Jr.  
Janine A. Bracious

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

Sworn to and subscribed in my presence this 18<sup>th</sup> day of May, 2017

Janey Bracious  
Notary Public Comm. Exp. 4-3-22

WILLIAM L BROCIIOUS, JR. 0619  
JANINE A BROCIIOUS  
1352 BRADFORD ST.  
WARREN, OH 44485

58-1044/412

1021



Pay to the order of Bargetta Youthship \$ 800.00  
Eight-Hundred & 00/100 00/100



Member of  
MIDLAND OHIO 44882  
CREDIT UNION

2787 Warren - Nashville  
Janine A. Brocius

⑆041210448⑆ 8 451 137 9⑈ 1021

1-800-831-2222

Heat  
Resistive  
ink

Instr: 201607010011785 07/01/2016  
P: 1 of 5 F: \$52.00 11:51AM 5  
Diana Marchese T20160013073  
Trumbull County Recorder BX(72)TTL

TRUMBULL COUNTY  
JUL 01 2016 *nk*  
GIS/TAX MAP DEPT

REAL PROPERTY TRANSFER TAX  
TRANSFERRED AND PAID

GIS/MAP DEPT. NOTE:  
NEXT TRANSFER  
WILL REQUIRE SURVEY  
Parcel #1 only

200 JUL 01 2016  
in the amount of 962.00  
Adrian S Biviano, Trumbull County Auditor *es*

*GENERAL WARRANTY DEED*

THAT PATRICIA A. NIEMI, WIDOWED AND NOT REMARRIED, for valuable consideration paid, grants with general warranty covenants, to:

William Lee Brocius Jr. and Janine A. Brocius

For their joint lives remainder to the survivor of them.  
Whose tax-mailing address is: 2787 Warren Meadville Road  
Cortland, OH 44410

Parcel ID#31-003465, 31-044085, 31-044086 and 31-044087  
The following real property:

SEE ATTACHED EXHIBIT "A" FOR A MORE COMPLETE LEGAL DESCRIPTION.

Said property is free and clear from all encumbrances whatsoever except rights, reservations, restrictions, easements, zoning laws, and conditions of record, if any.

Prior Instrument Reference: Instrument Number 201512180024066 Trumbull County Records.

Executed on this 29 day of June, 2016.

Patricia Niemi  
Patricia A. Niemi

STATE OF OHIO )  
                          )SS  
COUNTY OF TRUMBULL )

Before me, a Notary Public in and for the said County and State, personally appeared the above-named Patricia A. Niemi, the Grantor(s) in the foregoing Deed, and acknowledged that SHE did sign the foregoing instrument and that the same is HER voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto set my hand and official seal, at Warren, Ohio, this 29th day of June, 2016.

My Commission Expires \_\_\_\_\_  
Notary Public-State of Ohio  
DANETTE R. KEENEY



Danette R. Keeney  
NOTARY PUBLIC  
COMMISSION EXPIRES: May 8, 2017

THE TITLE COMPANY OF WARREN AGENCY, INC. (ORDER #16040128) 330-393-3200

Prepared by: BURKEY, BURKEY AND SCHER, CO., LPA  
ATTORNEYS AT LAW  
200 Chestnut Ave. NE  
Warren, Oh 44483



## EXHIBIT A

### Parcel One:

Situated in the Township of Bazetta, County of Trumbull and State of Ohio and known as being a part of Lot Number Sixty-Five (65) according to the original survey of said Bazetta Township, and is further described as follows: Beginning at a point in the center line of the old Warren-Meadville Road, said point being the northeasterly corner of the lands conveyed to Peter and Alexandria Olejnick by instrument dated May 22, 1957, and recorded in Volume 685 at Page 157 of the Trumbull County Records of Deeds, thence N. 89° 49' W. and along the North line of said Olejnick lands, but to the northwest corner of said Olejnick lands, which corner is in the westerly lot line of said lot no. 65; thence northerly and along the said westerly line of said lot no. 65, but to the southwesterly corner of lands now or formerly owned by Clyde A. and M.A. Culver; thence easterly and along the south line of said Culver lands, but to a point at the northwest corner of a .713 of an acre parcel now or formerly owned by Robert L. Dillon and W. Ann Dillon; thence southerly and along the westerly line of said Dillon Parcel, a distance of 135.00 feet, but to the southwest corner of said Dillon Parcel; thence easterly and along the south line of said last mentioned parcel, a distance of 230.00 feet, but to the southeast corner of said Dillon parcel which said corner is in the center line of the Durst-Colebrook Road; thence southerly and along the center line of said Durst-Colebrook Road, but to the intersection of said center line with the center line of the old Warren-Meadville Road; thence in a southwesterly direction and along the center line of said old Warren-Meadville Road, but the place of beginning; and containing within said bounds about 39.287 acres of land, be the same more or less, but subject to all legal highways and being a tract of land made up of three parcels, to-wit: (1) all of the ten (10.00) acres conveyed to Ralph O. Becker and Jennie B. Becker by warranty deed from Veronica Elizabeth Haines and Herbert Haines, wife and husband, dated November 15, 1940 and recorded in Volume 432 at Page 439 of the Trumbull County Records of Deeds; and (2) all of the twenty (20.00) acres conveyed to Ralph O. Becker and Jennie H. Becker by warranty deed from N.L. Kerr and Lena M. Kerr, husband and wife, dated November 3, 1931 and recorded in Volume 374 at Page 25 of the Trumbull County Records of Deeds; and (3) 9.287 acres of the 10.00 acres described in deeds recorded in Volume 407 at Page 264 and in Volume 796 at page 792 of the Trumbull County Records of Deeds, said 9.287 acres being the same lands conveyed to Ralph O. and Jennie H. Becker by a quit claim deed from Roy O. Becker and Grace A. Becker, husband and wife, dated in 1972, and duly recorded in the Trumbull County Records of Deeds.

PPN: 31-044085, 31-044086, 31-044087

Tax Duplicate Shows 38.39 acres, description above shows 39.29 acres less the following deeds leaving 38.39 acres:

### Excepting out from the following:

#### Parcel Number One:

Situated in the Township of Bazetta, County of Trumbull and State of Ohio and known as being a part of Section 65 in the original survey of said Township and is further bounded and described as follows: Beginning at a point in the centerline of the Warren-Meadville Road, 66 foot right-of-way at the northeast corner of land conveyed to Charles R. and Ursula E. Fridley as recorded in Official Record 315 at Page 713 of the Trumbull County Records of Deeds, said point also being S. 89 degrees-49'-00" E., 39.05 feet from an iron pin set in the west line of the road; Thence N. 89 degrees-49'-00" W., along the north line of Fridley's land, as aforesaid, 218.08 feet to a 5/8" iron pin found at the northeast corner of land conveyed to Larlun and Priscilla Williams as recorded in Official Record 416 at Page 248, of the Trumbull County Records of Deeds, which is the True Place of Beginning of the herein described parcel of land; Thence N. 89 degrees-49'-00" W., along the north line of William's land, as aforesaid, 180.00 feet to a point at the northwest corner of Williams' land; Thence N. 00 degree-11'-00" E., along a new line, 80.00 feet to an iron pin set; Thence S. 89 degrees-49'-00" E., along a new line, 180.00 feet to an iron pin set; Thence S. 00

degree-11'-00" W., along a new line 80 feet to a 5/8" iron pin found at the northeast corner of William's land, as aforesaid, and the true place of beginning; Containing within said bounds 0.330 acre of land as surveyed and described by Lynn, Kittinger and Noble, Inc., Professional Surveyors, Warren, Ohio December, 2010, by Carroll L. Herrmann, P.S. Ohio No. 5663.

All iron pins set are 5/8" diameter by 30 inches with "LKN 5663" ID Cap.

Basis for bearing is obtained from the deed recorded in Official Record 315 at Page 713 of the Trumbull County Records of Deeds. And known as being a part of that land conveyed by George M. Keriotis and Beulah G. Keriotis to Robert M. Niemi as recorded in Instrument No. 200101080000771 of the Trumbull County Records of Deeds.

**Excepting out from the following above described parcel:**

**Parcel Number Two:**

Situated in the Township of Bazetta, County of Trumbull and State of Ohio and known as being a part of Section 65 in the original survey of said Township and is further bounded and described as follows:

Beginning at a point in the centerline of the Warren-Meadville Road, 66 foot right-of-way, at the northeast corner of land conveyed to Charles R. and Ursula E. Fridley as recorded in Official Record 315 at Page 713 of the Trumbull County Records of Deeds, said point also being S. 89 degrees-49'-00" E., 39.05 feet from an iron pin set in the west line of the road; Thence N. 89 degrees-49'-00" W., along the north line of Fridley's land, as aforesaid, 218.08 feet to a 5/8" iron pin found at the northwest corner of Fridley's land; Thence N. 00 degree-11'-00" E., along a new line, 80.00 feet to an iron pin set;

Thence S. 81 degrees-03'-10" E., along a new line, 247.70 feet to a point in the centerline of the Warren-Meadville Road, said point being S. 81 degrees-03'-10" E., 36.00 feet from an iron pin set in the west line of the road;

Thence S. 32 degrees-29'-30" W., along the centerline of the Warren-Meadville Road, 50.00 feet to a point at the northeast corner of Fridley's land, as aforesaid, and the place of beginning; Containing within said bounds 0.331 acre of land of which 0.040 acre of land is contained within the right-of-way of the road as surveyed and described by Lynn, Kittinger and Noble, Inc., Professional Surveyors, Warren, Ohio, December 2010, by Carroll L. Herrmann, P.S. Ohio No. 5663. All iron pins set are 5/8" diameter by 30 inches with "LKN5663" ID Cap.

Basis for bearing is obtained from the deed recorded in Official Record 315 at Page 713 of the Trumbull County Records of Deeds. And known as being a part of that land conveyed by George M. Keriotis and Beulah G. Keriotis to Robert M. Niemi as recorded in Instrument No. 200101080000771 of the Trumbull County Record of Deeds.

**Excepting out the following:**

**Parcel Number Three:**

Situated in the Township of Bazetta, County of Trumbull and State of Ohio and known as being a part of Section 65 in the original survey of said Township and is further bounded and described as follows:

Beginning at a point in the centerline of the Warren-Meadville Road, 66 foot right-of-way at the northeast corner of land conveyed to Charles R. and Ursula E. Fridley as recorded in Official Record 315 at Page 713 of the Trumbull County Records of Deeds, said point also being S. 89 degrees-49'-00" E., 39.05 feet from an iron pin set in the west line of the road; Thence N. 89 degrees-49'-00" W., along the north line of Fridley's land, as aforesaid, 218.08 feet to a 5/8" iron pin found at the northeast corner of land conveyed to Larlun and Priscilla Williams as recorded in Official Record 416 at Page 248, 180.00 feet to a point at the northeast corner of land conveyed to Anatole and Dorothy Olejnik as recorded in Volume 775 at Page 571 of the Trumbull County Records of Deeds, which is the True Place of Beginning of the herein described parcel of land; Thence N. 89 degrees-49'-00" W., along the north line of Olejnik's land, as aforesaid, 130.00 feet to an 5/8" iron pin found at the northwest corner of Olejnik's land; Thence N. 00 degree-11'-00" E., along a new line, 80.00 feet to an iron pin set; Thence S. 89 degrees-49'-00" E., along a new line, 130.00 feet

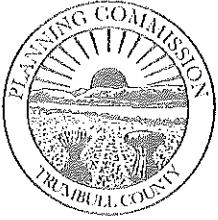
to an iron pin set;

Thence S. 00 degree-11'-00" W., along a new line, 80.00 feet to a point at the northeast corner of Olejnik's land, as aforesaid, and the true place of beginning; Containing within said bounds 0.239 acre of land as surveyed and described by Lynn, Kittinger and Noble, Inc., Professional Surveyors, Warren, Ohio December, 2010, by Carroll L. Herrmann, P.S. Ohio No. 5663. All iron pins set are 5/8" diameter by 30 inches with "LKN 5663" ID Cap.

Basis of bearing is obtained from the deed recorded in Official Record 315 at page 713 of the Trumbull County Records of Deeds. And known as being a part of that land conveyed to George M. Keriotis and Beulah G. Keriotis to Robert M. Niemi as recorded in Instrument No. 200101080000771 of the Trumbull County Records of Deeds.

#### Parcel Number 2

Situated in the Township of Bazetta, County of Trumbull, and State of Ohio, and known as being part of Section 64 in said township, and further bounded and described as follows: Beginning at a 3/4' iron pin found on the north line of Johnson Plank Road at the southeast corner of Parcel A of the Niemi Plat as recorded in Volume 40, Page 9 of Trumbull County Record of Plats; Thence North 1° 31' 47" West, along said east line of the Niemi Plat, a distance of 840.42 feet to a 3/4' iron pin found at the southeast corner of land conveyed to A Padgett and A. Daugherty and J. Joseph by deed 200007280027609; Thence North 25° 28' 54" East, along the east line of said Padgett, Daugherty and Joseph's land, a distance of 482.68 feet to a 5/8" capped rebar set on the south line of land conveyed to R. Maffitt by deed recorded in Volume 2, Page 1 of Trumbull county Official Records; Thence North 88° 52' 30" East, along said south line of Maffitt's land, a distance of 460.10 feet to a 5/8" capped rebar set on the west line of land conveyed to N. Plymale by deed recorded in Volume 1145, Page 1081 of Trumbull County Official Records; Thence south 1° 55' 00" East, along the west line of said Plymale's land, and along the west line of land conveyed to C. and R. McCafferty by deed recorded in Volume 462, Page 500 of Trumbull County Official Records, and along the west line of land conveyed to R. Niemi by deed 200101080000771, and along the west line of land conveyed to B. Olejnik by deed recorded in Volume 831, Page 63 of Trumbull County Official Records, a distance of 1262.45 feet to a 3/4' iron pin found on the north line of said Johnson Plank Road; Thence South 88° 04' 22" West, along said north line of Johnson Plank Road, a distance of 687.85 feet to a point and the true place of beginning and containing therein 18.7999 acres of land as surveyed in February, 2001 by Jerry W. Daniel, Registered Surveyor No. 6222.



## 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

August 8, 2017

Jeannie Eddy, Secretary  
Bazetta Township Zoning Commission  
3372 State Route 5 NE  
Cortland, OH 44410

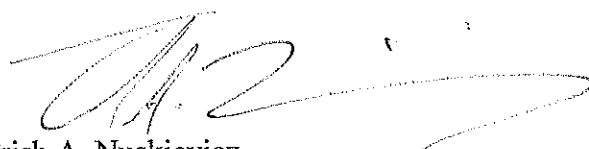
Dear Ms. Eddy:

Re: Z-2017-10 – Brocious Zone Change Residential (R1) to Commercial (C3) – Bazetta Township

Enclosed is a copy of Resolution No. 8-2017-39 which was adopted by the Trumbull County Planning Commission at its regular board meeting on August 8, 2017. This resolution recommends denial of the above-mentioned zone change for property at 2787 Warren Meadville Rd. (Parcel ID No. 31-044087, 31-044086, 31-003465 and 31-044085) in Bazetta Township. Also enclosed is a copy of the Plats and Zoning Committee minutes of August 1, 2017.

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

Respectfully,



Trish A. Nuskievicz  
Executive Director

caw

Enclosures

**RESOLUTION NO. 8-2017-39**

**ZONING**

WHEREAS: The Plats and Zoning Committee of the Trumbull County Planning Commission met on August 1, 2017, and reviewed with the Commission staff all pertinent documentation, research, and data relative to application number Z-2017-10 entitled Brocious Zone Change Residential (R1) to Commercial (C3) – Bazetta Township; and

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

WHEREAS: The proposed zone change is not in conformity with the 2009 Bazetta Township Comprehensive Plan; and

WHEREAS: The Plats and Zoning Committee recommend denial of application number Z-2017-10 entitled Brocious Zone Change Residential (R1) to Commercial (C3) - Bazetta Township for the proposed zone change for parcels 31-044087, 31-044086, 31-003465 and 31-044085 in Bazetta Township because of its incompatibility with the township's 2009 Comprehensive Plan and future land use map;

NOW, THEREFORE,  
BE IT RESOLVED: That the Trumbull County Planning Commission recommends denial of the proposed zone change;

NOW, THEREFORE,  
BE IT RESOLVED: That the Trumbull County Planning Commission denies the forwarding of the proposed correspondence to the Township of Bazetta.

**P-2017-17, continued**

Trumbull County Engineer:

- The Trumbull County Engineer approves the replat.

**Recommendation:**

Mr. Mahan made a motion to recommend approval of application number P-2017-17 entitled Replat of Lot 34A in the Replat of Lot No.s CR, 34, 45, 51 thru 57, 89 thru 91 in the McDonald-Niles Realty Company Plan A & Plan B and the Replat of Lot No.s 24, 25, 46, 50, 59, 60, 63, 97 in the McDonald-Niles Realty Company Plat Plan A & B - Weathersfield Township subject to all required agency approvals; seconded by Mr. Shader. The motion carried.

**ZONING:**

**Z-2017-10 BROCIIOUS ZONE CHANGE PROPOSAL RESIDENTIAL (R1) TO COMMERCIAL (C3) - BAZETTA TOWNSHIP – SUBMITTED 6/27/2017**

**Owner:** William and Janine Brocious

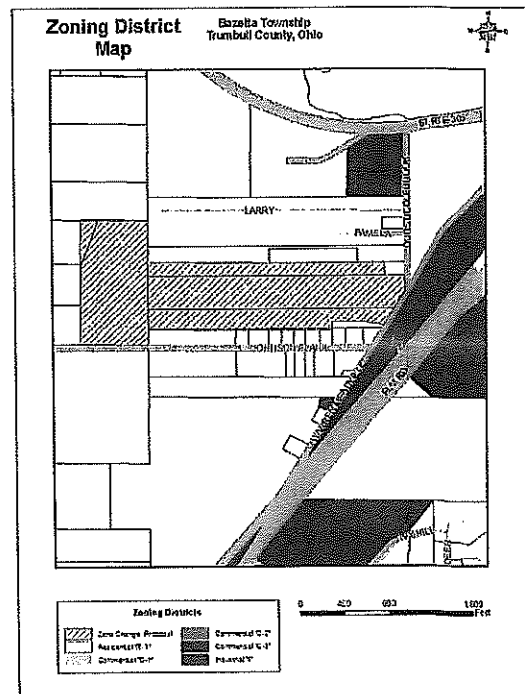
**Parcel:** 31-044087, 31-044086, 31-003465 and 31-044085

**Location:** 2787 Warren Meadville Rd., Bazetta Township

**Proposal:** The applicant desires to change the zoning of parcels 31-044087, 31-044086 and 31-003465 from Residential “R1” to Commercial “C3” in order to build a barn for the public to rent for social functions such as weddings.

**Zoning:**

- The applicant’s parcels are 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 properties across the street from the applicant’s proposed zone change are zoned Commercial “C-3”



**Z-2017-10, continued**

**Site and Area Description:**

- The parcels proposed for the zone change make up a 57.19 acre area. They are located off of Warren Meadville and Durst Colebrook Roads and are occupied with a house, garage, and barn and are mostly forested. The site also has two lakes.
- The primary land use on the properties directly bordering the area proposed to be rezoned is single family residential. Additional land uses nearby include a church, a trailer park and a space rental center.
- Although sanitary sewer is not available at the site it does have public water at Warren Meadville Road.

**Trumbull County Planning Commission Comments:**

- The township's future land use map indicates that the area to be rezoned is to remain open and undeveloped except for single family residential uses along Warren Meadville and Durst Colebrook Roads.
- The township may wish to consider an update to the 2009 Bazetta Township Comprehensive Plan to address new conditions and update the future land use map based on growth demands.

**Bazetta Township Zoning Comments:**

- Township zoning has no objection to the proposed rezoning.

**Recommendation:**

Mr. Shader made a motion to recommend denial of application number Z-2017-10 entitled Brocious Zone Change Residential (R1) to Commercial (C3) – Bazetta Township for the proposed zone change for parcels 31-044087, 31-044086, 31-003465 and 31-044085 in Bazetta Township because of its incompatibility with the township's 2009 Comprehensive Plan and future land use map; seconded by Mr. Mahan. The motion carried.

**Z-2017-11 - ZONING TEXT AMENDMENTS – BRISTOL TOWNSHIP – SUBMITTED  
7/13/2017**

**Section 11: "Side Yards"**

- The proposed change to this section adds language indicating that regulations governing fences or walls can be found in Section 32 for the Bristol Township Zoning Resolution.

**Comments:**

- This language is being added as a reference since fences or walls are often located in side yards.

**Recommendation:**

Mr. Brown made a motion to recommend approval of Z-2017-11 the proposed amendment to the Bristol Township Zoning Resolution; seconded by Mr. Mahan. The motion carried.

UNAPPROVED

**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 August 16, 2017 at 6:40PM at the Township Administration Building the Bazetta Zoning Commission held a Public Hearing immediately following the regular quarterly meeting.

Members Present: Curtis Lonsbrough, Walter Maycher, and Howard Wetzel.

Members Absent: Rita Benoit and Chuck Sayers

Also Present: Secretary Jeannie Eddy,

Chairman Lonsbrough called the meeting to order at 6:40 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 that was published in the Warren Tribune Chronicle on August 10, 2017.

Please See Attached

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

Please See Attached

Chairman Lonsbrough asked for testimony and comments from the public.

Janine Brocious addressed the residents by explaining their plans for these parcels. She stated they want to build a barn where the existing barn is. They are planning on restoring the wood from the original barn. The barn will be steel constructed and sound proof. Their business plan is to rent the barn out for special events. The barn will not be available during the winter months. The events will be over by 10:00pm and only rented on Friday and Saturday. The events will be controlled and with police officers. She then addressed the resident's questions and concerns.

Mr. Williams asked if there will be camping available on the properties. Brocious's stated that the property is not open to the public. The other parcels will eventually have their private homes constructed on them.



Mrs. Dorothy Olejnik is against the zone change and she stated the following concerns:

She feels the properties will be open to the public at all times and have uncontrollable parties on there just like when the Niemi's owned it. She also has concerns about the land and flooding problems that she might incur from this. She has issues with a dirt pile that has been on that property for a long time.

Janine Brocious stated again the purpose for the barn rentals and at no time will the events be unsupervised and uncontrolled. As far as the land structure and any flooding issues they are unaware of any of this and if any concerns the neighbors have please let them know so they can try to resolve these ongoing issues during the construction and excavating of the land. She also stated they are more than willing to help resolve as many issues as they can, and they want to work with the neighbors not create more problems or issues for them.

At this time Chariman Lonsbrough asked the board members if they had any questions or concerns that they wanted to address. The board members did not have any.

Chairman Lonsbrough did not feel that the board needed to discuss the zone change any further and asked for a motion to accept or deny the zone change.

Howard Wetzel made a motion to **Recommend** the zone change, seconded by Walter Maycher.

Roll Call Vote: Chairman Lonsbrough YES, Howard Wetzel YES , Walter Maycher YES.

YES: 3

NAY: 0 Motion Passed

The Board reminded the interested parties that this is only a recommendation to the Board of Trustees and that their vote is what will determine the approval or denial of the zone change.

Howard Wetzel made a motion to adjourn the meeting, seconded by Walter Maycher.

Roll Call Vote: Chairman Lonsbrough YES, Howard Wetzel YES , Walter Maycher YES.

YES: 3

NAY: 0 Motion Passed

Chairman Lonsbrough adjourned the meeting at 7:29PM.

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Curtis Lonsbrough, Chairman

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Jeannie Eddy, Secretary

## **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

August 16, 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 16th day of August 2017. The Zoning Commission **Recommended** the **Adoption** of the proposed zoning amendment to re-zone Parcel numbers 31-044085;31-044086;31-044087;31-003465 owned by William L. and Janine Brocius Jr. 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. August 16, 2017 Zoning Board Commission meeting minutes.

Sincerely,

  
Jeannie Eddy  
Zoning Board Commission Secretary

**Bazetta Township Zoning Commission**

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Secretary: Jeannie Eddy

August 08, 2017

Warren Tribune Chronicle

Legal Ad Classifieds

Cindy Simpson

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LEGAL NOTICE

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The Zoning Commission of Bazetta Township, Trumbull County, Ohio, gives notice that a Public Hearing will be held on the 16th day of August, 2017 immediately following the regularly scheduled quarterly meeting at 6:30 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: William L. and Janine Brocious Jr.

Property Address: 2787 Warren Meadville Rd. Cortland, Ohio 44410

Tax Parcel ID#: 31-044085;31-044086;31-044087;31-003465

Current Classification: R-1

Proposed Classification: C-3

A copy of the application for the zone change is on file with the Zoning Commission and is available for inspection and copying upon request to the Zoning Commission 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 ZONING COMMISSION  
OF BAZETTA TOWNSHIP  
By Jeannie Eddy, Secretary

**Jeannie Eddy**

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**From:** Mike Mills [mmills@bazettatwp.org]  
**Sent:** Sunday, August 06, 2017 2:38 PM  
**To:** jeddy@bazettatwp.org  
**Subject:** Re: Pulbic Hearing

\*\*\*Amendment Letter\*\*\*

File No.01-2017

Date: July16, 2017

To: Rich Fender

The following Parcels and address numbers listed below are to be added to the Zone Change request filled by William L. & Janine Brocious Jr., 2787 Warren Meadville Rd., Cortland Ohio 44410 Parcel # 31-044085 consisting of 20 acres.

Amendments: 0 Durst Colebrook Rd. - 31-044087- 9.29 acres

0 Warren Meadville Rd.- 31-044086- 9.1 acres

0 Johnson Plank Rd. - 31-003465 - 18.8 acres

These parcels are all owned by Mr. & Mrs. Brocious Jr. and they assumed that they all fell under the same address. They now know they are all separate parcels and wish to have them included in the zone change, but not have them made into 1 parcel.

Thank you

Michael D. Mills - Bazetta Township Zoning

William L. & Janine Brocious Jr. - property owners

**Mike Mills**

Zoning Inspector

Bazetta Township

3372 State Route 5

Cortland, Ohio 44410

Phone: 330-637-8816

Fax: 330-637-4588

Email: [mmills@bazettatwp.org](mailto:mmills@bazettatwp.org)

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**From:** "Jeannie Eddy" <[jeddy@bazettatwp.org](mailto:jeddy@bazettatwp.org)>  
**Sent:** 8/4/2017 9:11 AM  
**To:** <[mmills@bazettatwp.org](mailto:mmills@bazettatwp.org)>, <[twebb@bazettatwp.org](mailto:twebb@bazettatwp.org)>  
**Subject:** Pulbic Hearing

Good Morning:

Would you please get me a copy of the certified letter so I can have all the parcels so that I can place the legal ad

Thanks

Resolution No. 17-08-001

Township Zoning Commission

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

Moved by: Howard Wetzel,      Seconded by: Walter Maycher

**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 numbers 31-044085;31-044086;31-044087;31-003465 owned by William L. and Janine Brocious Jr. 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.