

Franklin Township, Portage County
Zoning Commission Hearing
February 23, 2023

Members Present: Chair Mekal Banyasz, Mary Organ, Beth Geist, and alternate Judy Spencer.

Others: Zoning Inspector Joe Ciccozzi, Secretary Jenny August and local residents.

Call to Order: Ms. Banyasz called the meeting to order at 7:00 pm.

Approval of Minutes from January 19, 2023:

Mrs. Organ moved to approve the minutes from the January 19, 2023 meeting with a second from Mrs. Spencer. All commissioners voted yes. The minutes were approved.

Discussion Topic:

Application for a map amendment on parcel #12-036-00-00-008-000 to convert the entire parcel to C-1 commercial zoning.

Ms. Banyasz explained to the public in attendance that the purpose of this hearing is to consider an application which would convert the whole parcel to commercial zoning. A small portion of the parcel is zoned residential, which is a very unusual circumstance. She asked Mr. Nick Battaglia from Battaglia Construction to speak to this since his company is doing the lot clearing for the property owner.

Mr. Battaglia said he is here to represent the Beck's, who hired him to clear the property. About 7/8 of the parcel is already zoned C-1 commercial, and 1/8 is R-1 residential. The Beck's want all of the parcel to be commercial. The Becks are paying commercial rates for their property taxes on the entire parcel. The R-1 section is basically unusable and has no road access. Mr. Battaglia reviewed the map that he provided and showed the commissioners where the R-1 portion is located. Mr. Battaglia said there is a "ghost road" in the parcel as well.

Ms. Banyasz asked Mrs. Organ to read the uses from Chapter 320.02 of the zoning resolution that could be put on C-1 land; which are permitted uses, and conditional uses. Permitted uses would not need any special permission, just a permit. The other would be conditionally permitted uses which would require permission from the Board of Zoning Appeals.

Mrs. Geist asked Mr. Battaglia how many acres in the entire section. Mr. Battaglia said about 30 acres. She asked about the size of the R-1 portion. Mr. Battaglia said it is roughly 5 acres. She clarified that the Becks can do anything they want that is a permitted use with the 25 acres already. Mr. Battaglia confirmed that she is correct.

Public Comment:

Sharon Batsch of 6270 Edmund Dr. said she wants it to remain residential. She has lived across the street from the R-1 portion for 62 years. She is fine with looking at houses, but doesn't want to look out and see a business. She does not think that the little 5-acre portion in the back would make that much of a difference to a developer. It is useable because homes could be built there. The landscape has totally changed now. She thinks it will increase traffic also.

Mr. Frank Reed of 6245 Cox Rd. asked for clarification if this is all one lot or three. Mr. Battaglia clarified that the area pertaining to the application is one lot. Mr. Reed said the "ghost road" is owned by the township and the township could still put a road in. So, the properties are not useless. He also has concerns about water runoff. Mr. Battaglia said once a developer gets involved, they will have to come up with a water retention plan that will help with that issue. Mr. Reed did not think the township can vacate the road if it means land locking someone.

Mrs. Organ said after tonight's meeting, the next step is to go to the Portage County Regional Planning Commission meeting on March 8 where this will be on the agenda. At this time, they will have all of the EPA, water engineers, fire and safety service people look at this and consider what would be impacted. Mr. Reed said the map that is on display here is not even accurate, and the back R-1 area could be developed.

Mrs. Organ asked for clarification on the ghost roads. Mr. Battaglia showed her on the map where the ghost roads are, and stated that they are 50 feet wide.

Mr. John Miles of 6284 Cox Rd. said he was at the Portage County Tax Map office yesterday and the ghost road is known as Burroughs Road and has not been vacated. It is possible that a petition was made, but it still stands as is and has not been vacated.

Kathy Crawford of 2288 Margaret said she would like to keep the portion residential. She would prefer to have it wooded or put houses on it and keep a buffer from the commercial section. She thinks there will be an increase in pollution, traffic and noise.

Mrs. Spencer said she is curious about what the Becks plan to do with the property. Mr. Battaglia said they will either develop it them selves or sell it, but they wanted it cleared.

Ms. Banyasz closed public comment and said that no decisions will be made at this meeting and encouraged everyone to attend the March 16 meeting where more information will be available.

Mrs. Organ moved to continue this hearing until March 16, 2023 with a second from Mrs. Geist. All commissioners voted yes.

Next Meeting: The next meeting will be held March 16, 2023 at 7:00 pm.

Adjournment: Ms. Banyasz moved to adjourn at 7:35 pm with a second from Mrs. Organ. All Commission members voted yes.

Respectfully submitted by Jenny August, Zoning Commission Secretary.

Approved:

Mekal Banyasz, Zoning Commission Chair