

Franklin Township Trustees  
Tuesday, January 11, 2022  
Special Hearing Minutes

At 6:00pm Scott Swan called the hearing to order. He stated the purpose of the hearing was to consider zoning resolution amendments pertaining to two separate requests.

First on the agenda was a request made by Jason Thigpen and Michael Cone – owners of Back Nine Holdings, LLC - to rezone 5.2 acres of a approximately 39 acre parcel they own located on Powdermill Road. The entire acreage is currently zoned R-1 (low density residential). They are seeking an amendment to rezone the 5.2 acres to R-O (Research and Office)

#### PUBLIC COMMENT

1. Tom Clapper – 5699 Powdermill Road – expressed opposition to granting the request. He believes it would be a mistake and because harm to the character of the neighborhood. He considers the allowance of an office on the portion rezoned would be a commercial activity and stated it does not fit in the currently residential neighborhood. He reminded the board that just five or six years ago the township rezoned that entire parcel to R-1 with the intent that single-family, low-density housing would be the appropriate use for that property. He also stated that there is other property already zoned commercial for such use that could be bought.
2. Laura Davis – 5699 Powdermill Road – She expressed gratitude to the board and the zoning commission for their attention to the process that brings us all here at this hearing. She also opposes the request to rezone. She submitted a written statement that will be attached to the official record. She stated that in 2020 and 2021 fifty residents of that area attended hearings and meetings opposing anything other than R-1 low density zoning for that area to keep the integrity of the existing neighborhood.
3. Marilyn Sessions – 7347 Westview Road – stated that after reviewing the documents provided about the request and the plans for its use, she feels it is an appropriate use and supports the rezoning request. She noted that no one can predict the future of what might be done with the property years from now but stated that the township has a responsibility to consider what is being proposed now.
4. Jason Thigpen – 4821 Heights Drive, Stow – addressed the board as a co-owner of the above-mentioned property and the intended use of said parcel if rezoned. Mr. Thigpen and Mr. Cone wish to build two personal residences and one office building that will house Titan USA, a surveying company on the 5.2 acres if rezoned. They believe this opportunity will bring added revenue potential to the township through the JEDD and income tax and look forward to providing well-paying jobs for upcoming surveyors. They expect as many as ten to fifteen employees could be using the office in the next ten years. That would leave a remaining thirty-four acres as R-1 low density residential. He pointed out that there are or have been other commercial activities and businesses surrounding the area in question, such as the Kent State Golf Course and Schneller Company, along with nearby Walmart and Pebblebrook Apartments, thus rendering it near an already mixed-use area. Mr. Thigpen feels their proposal is inline with its intended use. The plan to minimize the cutting down of trees and change in topography as much as possible for the builds.
5. Ken Parshall – 5711 Powdermill Road – expressed concern that should this amendment occur there is nothing to stop other buildings from going in. He also pointed out that Schneller and the KSU Golf Course were grandfathered in before zoning
6. Debbie Parshall – 5711 Powdermill Road also expressed he desire to see the current zoning of R-1 upheld.
7. Franklin Township zoning inspector Joe Ciccozzi clarified for the trustees that R-O is not a commercial designation and stated that Mr. Thigpen could have just gone to the BZA and asked for a variance for what they are seeking and been granted it.

Resolution 2022-01 is a resolution authorizing an zoning resolution amendment proposed by Back Nine Holdings, LLC on 5.264 acres located on Powdermill Road from R-1 (low-density residential) to R-O (research and office). The resolution was approved by a motion made by Scott Swan; 2<sup>nd</sup> Glenn Russell. Mr. Swan voted yes. Ms. Kapusta voted yes. Mr. Russell voted no. The resolution was approved.

Second for consideration on the agenda is an amendment to the zoning resolution as proposed by Heritage Development requesting approximately 42 acres be rezoned from R-1 (low density residential C-1 (local commercial) to all R-1. The developer seeks to build a single-family home development on the site.

**PUBLIC COMMENT**

1. Beth Geist – 5724 Powdermill Road - asked how many homes would be permitted under the zoning change. Mr. Rob Benjamin and Mr. Dan Barcikoski responded that the number is between seventy and seventy-five. With approval of the rezoning, they would seek a PRD (planned residential development) variance from the Board of Zoning Appeals, allowing them to build the 85 homes they propose.
2. Laura Davis, who spoke earlier in the hearing about the other zoning resolution amendment asked if there was a process by which residents could appeal the approving the above-mentioned rezoning for Back Nine Holdings, LLC. The board responded that there is no such provision. She expressed her disappointment at the decision and stated her belief that the neighborhood would be harmed as a result.

Resolution 2021-24 is a resolution approving an amendment to the zoning resolution rezoning approximately 42 acres of land at the southeast corner of Powdermill Road and SR 59 north of the railroad tracks, from C-1 (local commercial) and R-1 (low density residential) to all R-1. A motion was made by Scott Swan to approve the resolution; 2<sup>nd</sup> Kellie Kapusta. Ms. Kapusta stated that she works for a company that has a relationship to a company that is involved in the sale of the land in question. While she stands to make no money or profit from the transaction in any way, she recused herself from voting on this matter. Mr. Swan and Mr. Russell both voted yes. The resolution was approved.

At 6:40pm a motion to adjourn the hearing was made by Glenn Russell; 2<sup>nd</sup> Scott Swan. All three trustees voted yes.

Date \_\_\_\_\_ Fiscal Officer \_\_\_\_\_

Chairman \_\_\_\_\_