

Minutes: Russell Township Zoning Commission
Russell Fire-Rescue Station
March 28, 2012

Present: Richard E. Snyder, Chairman
Bruce Murphy
Ben Kotowski
Donna Weiss Carson
Diana Steffen, Secretary

Tom Warren was absent with apologies.

Also in attendance: Ric Machnics, Zoning Inspector.

The Chairman called the meeting to order at 7:40 p.m.

MINUTES OF JANUARY 30, 2012 – *Mr. Murphy made the motion to accept the minutes as presented, Ms. Weiss Carson seconded and the motion passed unanimously.*

MINUTES OF FEBRUARY 22, 2012 – *Mr. Murphy made the motion to accept the minutes as corrected, Mr. Kotowski seconded and the motion passed unanimously by 3-0. Ms. Weiss Carson abstained due to her absence from that meeting.*

DEFINITION OF FAMILY – Mr. Murphy had modified the County Model definition of "family". He explained that, since it is unenforceable to tell a traditional, biological family how to live together, he proposed deleting the language defining a family as cooking together as a single housekeeping unit. For the definition of a non-traditional family he proposed including that they should live as a single economic unit as well as cooking together as a single housekeeping unit. He said that the courts have accepted both of these as legal terms.

Mr. Kotowski said that since there are really two definitions of "family" under one definition, it would be appropriate to clarify that one or other definition can be used but not both for residents in one residence. He suggested combining the first two sentences and adding "or" between the definitions, or dividing it into two separate definitions. After discussion the rest of the Commission agreed that since the County Prosecutor has successfully defended the County Model definition and has asked the Township to use it, it is preferable to keep changes to a minimum. Both the Township's assistant prosecuting attorney and the assistant prosecuting attorney who represents the Planning Commission have asked the Township several times to use the County Model definition. Because the Prosecutor may be called upon to defend the definition for Russell, Mr. Snyder said he would like to use the County Model definition. He recommended sending Mr. Murphy's modification to David Dietrich for informal comment.

Action Item: Mrs. Steffen will send the draft to David Dietrich for informal comment.

PENDING AMENDMENTS – Mr. Snyder reviewed a list of amendments that are either ready to initiate or are in progress. Four are ready to be initiated and four are in progress. Any amendments involving map changes will be initiated at the same time so the Zoning Map will be amended once. Retail Food Service will be held until the amendment to split the C-S zones is complete. Mr. Snyder recommended initiating corner lot clarification, division of land and consolidation of lots, traffic impact study and definition of family at the same time.

Discussion is still required regarding revocation of conditional zoning certificates and putting a time limit on conditional uses. Mr. Snyder said the Commission will work on that topic when there is time.

Due to the State of Ohio changing the title of Clerk to Fiscal Officer the Commission should make this change where it is mentioned in the Zoning Resolution. Mrs. Steffen said she has found it mentioned seven times. She was asked to prepare an amendment.

Mr. Snyder and Mrs. Steffen explained an error on the Zoning Map involving three parcels between Riddle Road and Russell Road that are shown as Passive Park District, but were not in fact rezoned from R-5 in 1989 when an adjacent parcel was rezoned. Mrs. Steffen said it appears that after the amendment the Zoning Map was revised correctly, but a few years later it was revised to correct some errors and these parcels were added to the Passive Park District. She has researched the amendment files and found the deeds prove the other parcels were privately owned and not included with the original 20-acre parcel that was owned by the Russell Land Conservancy at that time. She then spoke with Greg Studen, who was Chairman of the Zoning Commission, and he said he is very familiar with the parcels, having walked them many times. He confirmed that the Commission did not rezone any privately-owned parcels, and only rezoned the 20-acre parcel owned by the Russell Land Conservancy. The Planning Commission has asked for an amendment to be initiated to correct the error.

Action Item: Mrs. Steffen will prepare two amendments, one to change Clerk to Fiscal Officer, and one to correct the error on the Zoning Map.

LAND USE GUIDE PLAN UPDATE – Mr. Snyder said he is now planning to present the recommendations of the Zoning Commission to the Board of Trustees at the May 2nd meeting, since he has been advised that the first meeting of the month is more appropriate for presentations. He would like to finalize it at the Commission's April meeting when all the members are expected to be present.

With regard to individual assignments, Mr. Snyder said there are four basic areas in the current plan. He would like everyone to begin the data collection and put it in an easy-to-use format. He would like some of this work completed for the April meeting and some for the May meeting. By the end of May or by June, using the previous survey as a base, they will consider what questions to add, which questions to refine, and which to delete. He handed out the previous survey and asked the Commission to bring a folder with all the Guide Plan information to each meeting so that the same documents do not have to be re-copied. Commission members volunteered to work on the four areas as follows:

1. Demographic trends and projections – Ben Kotowski.
2. Environmental infrastructure – Tom Warren with assistance from Rick Snyder.
3. Land use patterns – Bruce Murphy.
4. Regional relationships – Donna Weiss Carson.

Action Item: Mr. Snyder will have his presentation for the Trustees ready to discuss at the next meeting. All Commission members to gather data on their individual topics with assistance from Mrs. Steffen. All Commission members to compile a folder of Guide Plan update information to bring to each meeting.

There being no other business, Mr. Murphy moved to adjourn, Mr. Kotowski seconded and the meeting adjourned at 8:43 p.m.

Respectfully submitted,

Diana Steffen
Secretary

Date

Richard E. Snyder
Chairman

Date