

Lisa Reeves

From: Todd Peetz <tpeetz@pcrpc.org>
Sent: Wednesday, August 16, 2017 3:45 PM
To: hwachholz@pcrpc.org; Lisa Reeves
Subject: FW: Motion for Guyette Zoning Amendment
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Haley and Lisa,

This is a map rezoning for Shalersville Township, right next to the one we processed a couple of months ago.

Todd

From: Allen Harshbarger [<mailto:justinlind44@hotmail.com>]
Sent: Monday, August 14, 2017 11:42 AM
To: Todd Peetz
Subject: Motion for Guyette Zoning Amendment

A

APPLICATION FOR ZONING AMENDMENT
SHALERSVILLE TOWNSHIP

The undersigned, owner(s) of the following legally described property hereby request the consideration of a change in the Zoning Resolution Text as described below:

- Name of Applicant Raverswood Golf Club Inc.
 Address 3861 Lake Rockwell Rd.
 Mailing Address 7814 Infirmary Ravenna, OH 44246
 Phone Number: Home 330-607-1843 Business FARM
33-062-00-00-008-002 / 33-062-00-00-009-000
 Parcel No. 33-062-00-00-008-000 / 33-019-00-00-007-000

- Acreage 110.84
 Number of Lots _____
 Existing Zoning L1-D Light Industrial
 Proposed Zoning R-2 low Density Res.

Date 8-5-17 Applicant Daryl + Kurt Guyette

Date Filed with Zoning Commission 8/10/17

Application Number 02-17

To: Todd Peetz (Portage County Regional Planning) Date: August 14, 2017

From: Karen Harshbarger, Secretary

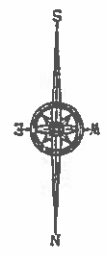
Shalersville Township Zoning Commission

Please call me at 330-357-9972 and verify receipt and readability of this email.

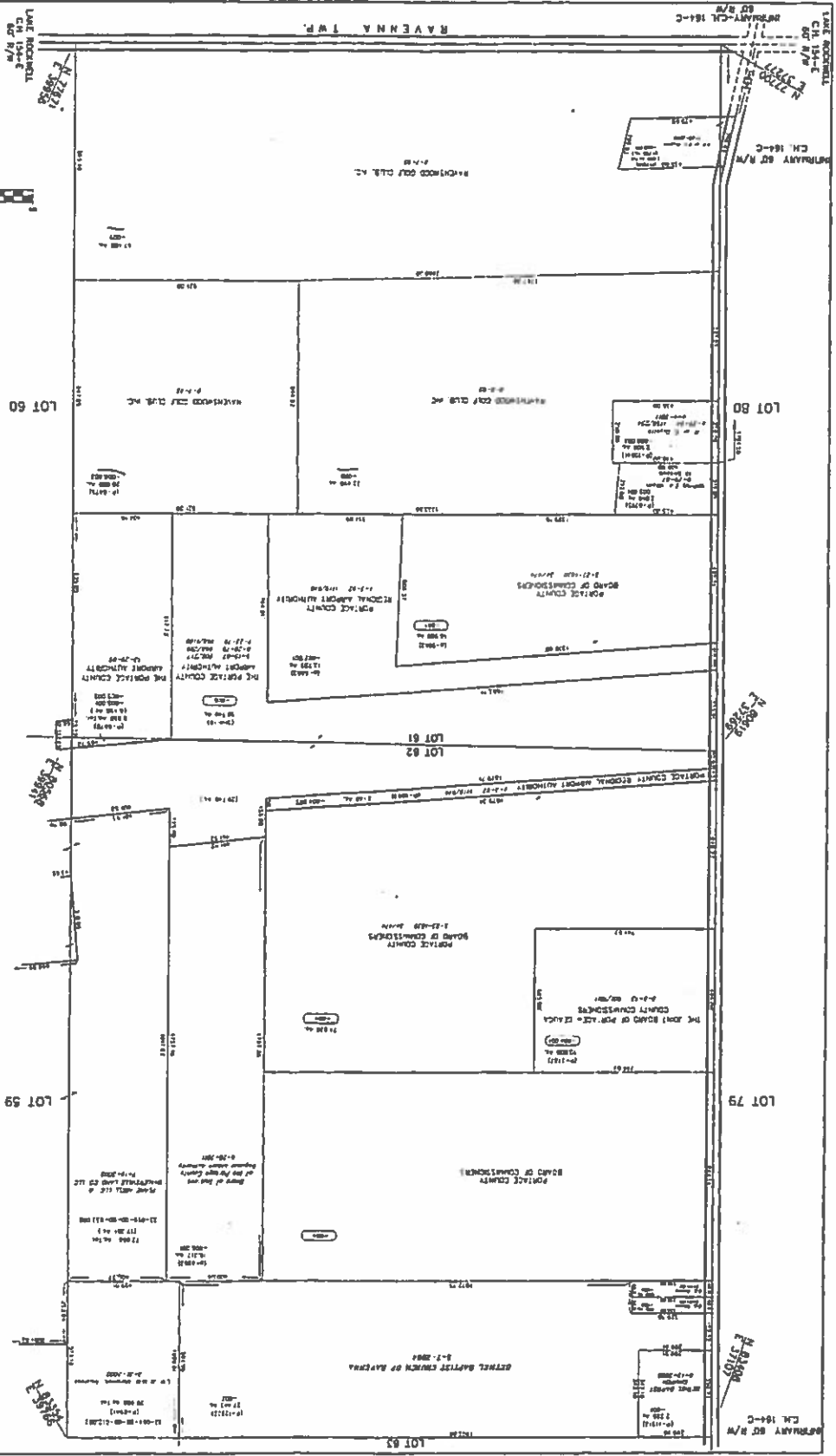
-We have an application for a zoning amendment from Daryl & Kurt Guyette of 7814 Infirmiry Road for four (4) frontage lots that are zoned LI-D (Light Industrial) and they wish to change to R-2 Low Density Residential. The proposed rezoning area consists of 110.84 total acres, and is comprised of the following four (4) parcels:

- 33-062-00-00-008-002
- 33-062-00-00-008-000
- 33-062-00-00-009-000
- 33-079-00-00-007-000

33-062-00-00-000,000
SHARPSVILLE TWP
62 & 61



62 & 61



**ROOTSTOWN TOWNSHIP
ZONING CODE UPDATE WITH AMENDMENTS
September 2017**

Received: August 21, 2017
Meeting Date: September 19, 2017

Reviewed by Todd Peetz

**AMENDMENT 1
Section 150.02**

Rationale: To recognize the pre-existing residential developments in Lake Districts and allow their lots to conform to the Township's definition.

Existing Definition:

LOT: A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area and to provide such yards and other open spaces are herein required. The term "zoning lot" is used synonymously with "lot" in this Zoning Resolution. Such lot shall have frontage on an improved public street but not include any portion thereof, or on an approved private street, and may consist of:

- A. A single lot of record;
- B. A portion of a lot of record;
- C. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Proposed definition (shown in bold):

LOT: A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area and to provide such yards and other open spaces are herein required. The term "zoning lot" is used synonymously with "lot" in this Zoning Resolution. Such lot shall have frontage on an improved public street but not include any portion thereof, or on an approved private street, and may consist of:

- A. A single lot of record;
- B. A portion of a lot of record;
- C. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Exception: "Lot" for purposes of the land in L-D districts shall mean a numbered parcel as shown on the survey of the area approved by Rootstown Township Trustees and permanently on file with the Township, subject to future amendment.

Staff Comment: This may be difficult to track as the Ohio Revised Code has all subdivisions going through regional planning and then on to the recorder's office.

We definitely concur that the Townships should have a map of each of the lake districts, portraying the lots contain in each community. Because the amendment is specific to three relatively small areas in the Township we could support this amendment.

Staff Recommendation: Staff recommends approval.

AMENDMENT 2 Section 210.01

Rationale: To update by adding the Lake District if approved to be established, and removing the Planned Commercial Overlay District which is no longer included in the Zoning Resolution.

Section 210.01 Existing:

Zoning districts are hereby established for the unincorporated territory of Rootstown Township, Portage County, Ohio. These districts and the identifying symbol associated with each are as follows:

Residential Districts

O-C/PRD	Open Space and Conservation District
R-1/PRD	Single-Family Residential District
R-2/PRD	Single-Family Residential District
R-3	Multi-Family Residential District
R-V/PRD	Residential Village District

Business and Commercial Districts

R-O/PCD	Residential/Office District
V-C/PCD	Village Center Business District
C-1/PCD	Retail Business District
C-2/PCD	General Commercial District
C-3/PCD	Highway Interchange District
PCOD	Planned Commercial Overlay District

Industrial Districts

L-I	Limited Industrial District
G-I	General Industrial District

Section 210.01 Proposed (shown in bold):

Zoning districts are hereby established for the unincorporated territory of Rootstown Township, Portage County, Ohio. These districts and the identifying symbol associated with each are as follows:

Residential Districts

O-C/PRD	Open Space and Conservation District
R-1/PRD	Single-Family Residential District
R-2/PRD	Single-Family Residential District
R-3	Multi-Family Residential District
R-V/PRD	Residential Village District
L-D	Lake District

Business and Commercial Districts

R-O/PCD	Residential/Office District
V-C/PCD	Village Center Business District
C-1/PCD	Retail Business District
C-2/PCD	General Commercial District
C-3/PCD	Highway Interchange District

Industrial Districts

L-I	Limited Industrial District
G-I	General Industrial District

Staff Comments: They are just adding “Lake District” as a new residential District.

Staff Recommendation: Recommends approval.

AMENDMENT 3

Map Amendments From R-2 Residential to L-D Lake District Residential

Rationale: To recognize the pre-existing residential developments around Sandy and Muzzy Lakes, and allow as many lots and structures as possible to conform to the Township Zoning Resolution.

Staff Comments: See attached maps, the “Lake Districts” represent three distinct communities in Rootstown that were built and established years before zoning was created. The map amendment correlates the changes to the text. Because this is a pre-existing development we are not providing the typical comparison analysis. There is no change of use being proposed, just the name of the zoning district in which the existing development resides.

Staff Recommendation: Recommends approval.

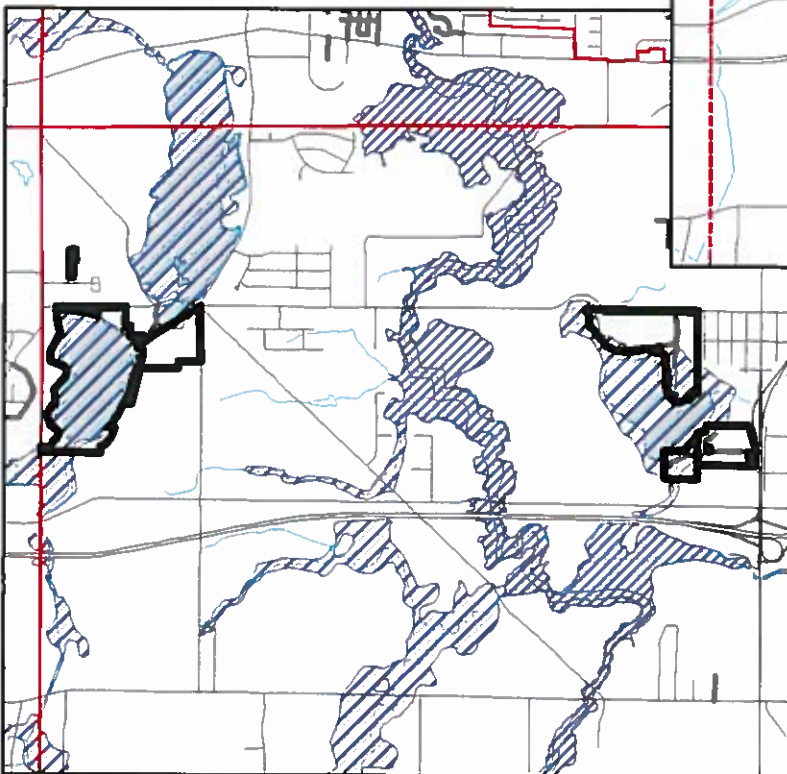
Soils, Wetlands, Flood Hazard Areas & Priority Conservation Areas

Rootstown Township Rezoning



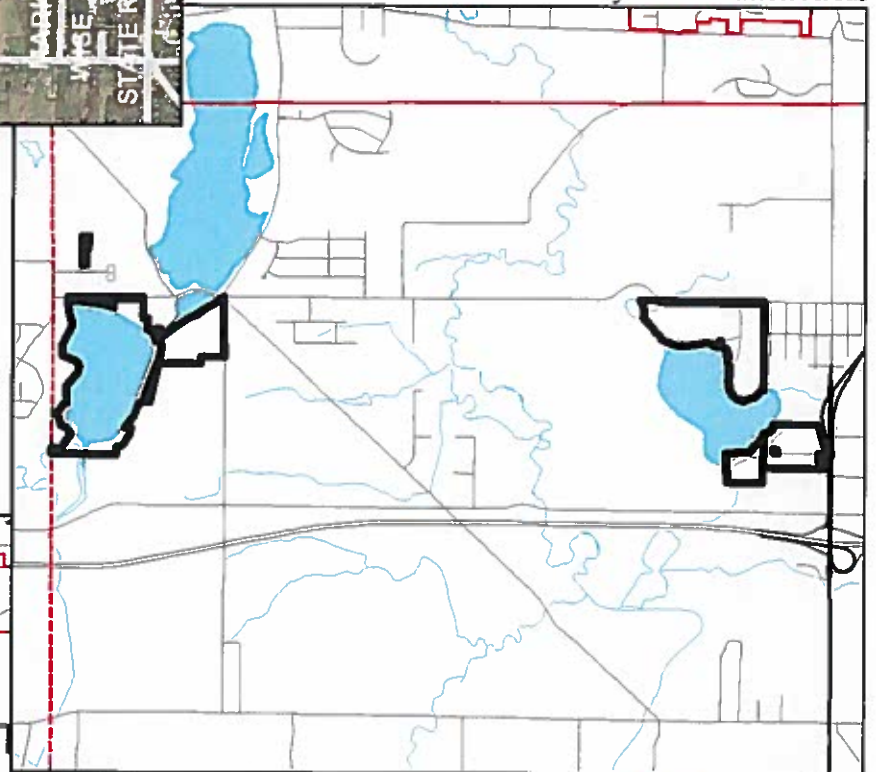
Portage County Soil Survey
Digital version, 2006.

0 2,150 4,300 8,600 Feet



FEMA Flood Insurance Rate Map, 2013

Wetlands & Priority Conservation Areas



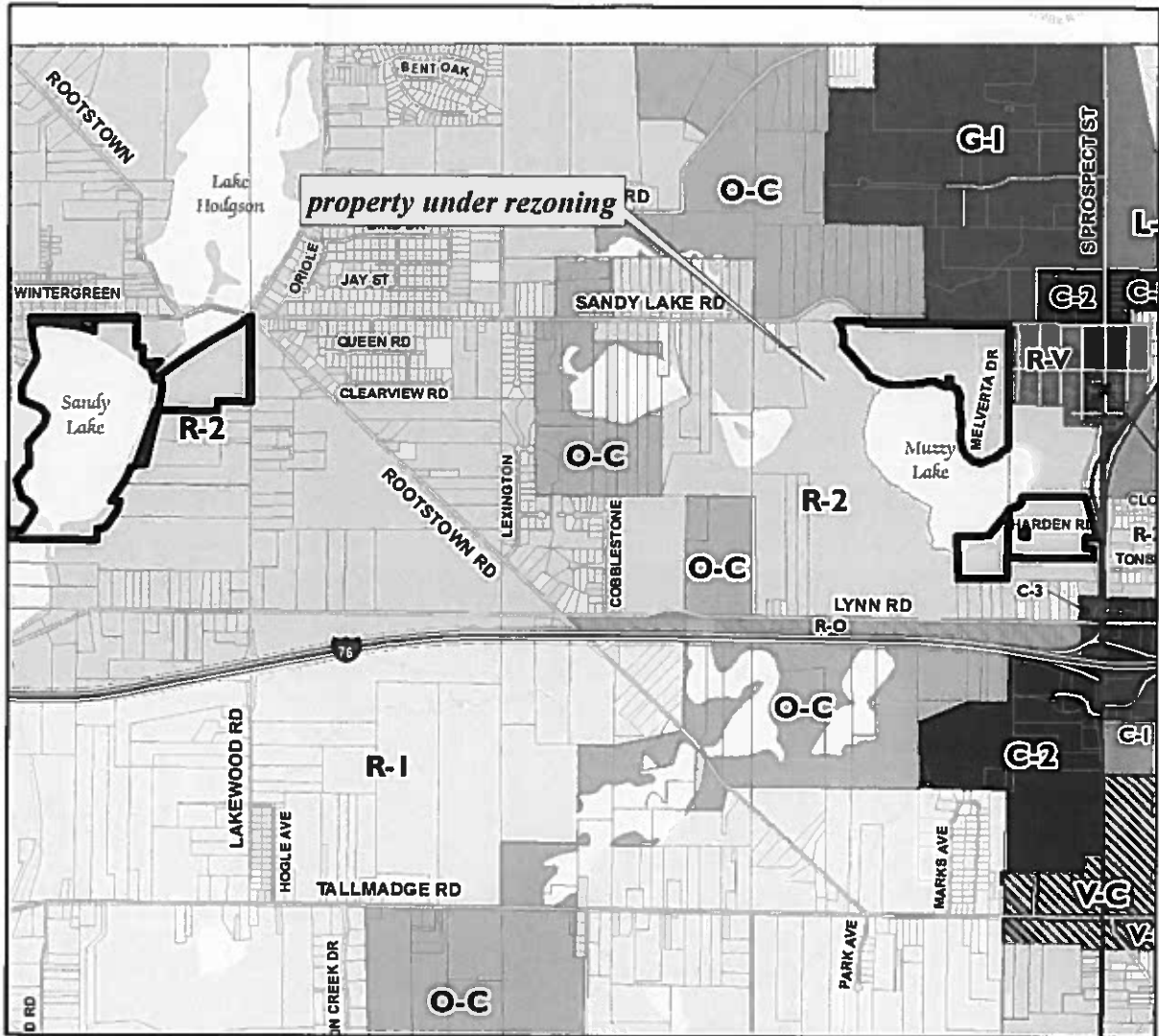
Wetlands

Flood Zone A
Flood Zone AE

Rootstown Township

Property Rezoning from R-2 to L-D

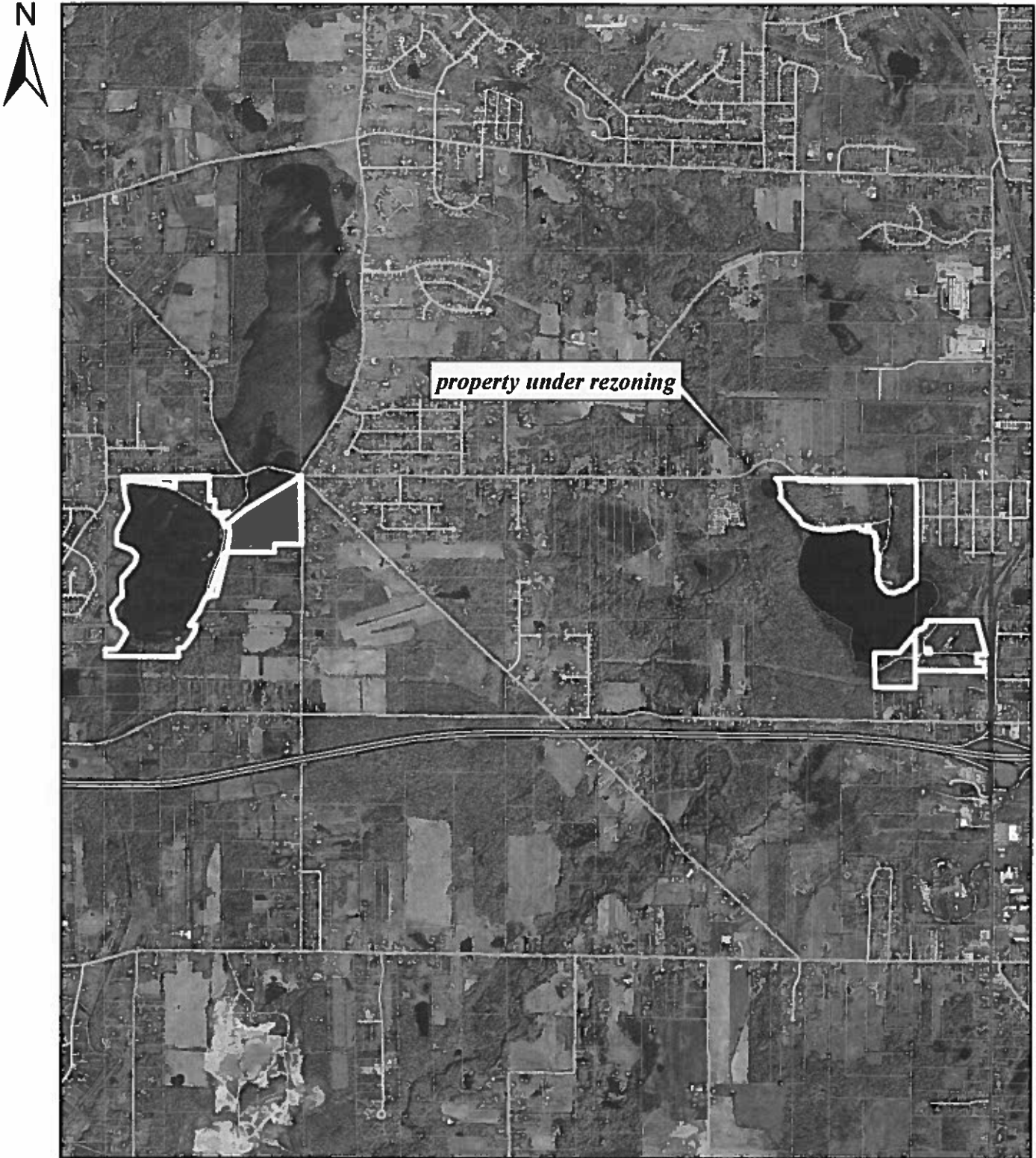
Proposed Change Zoning



-  Open Space & Conservation
-  Single-Family Residential
-  Single-Family Residential 2
-  Multi-Family Residential
-  Residential Village
-  Residential Office
-  Village Center Business
-  Retail Business
-  General Commercial
-  Highway Interchange
-  Limited Industrial
-  General Industrial

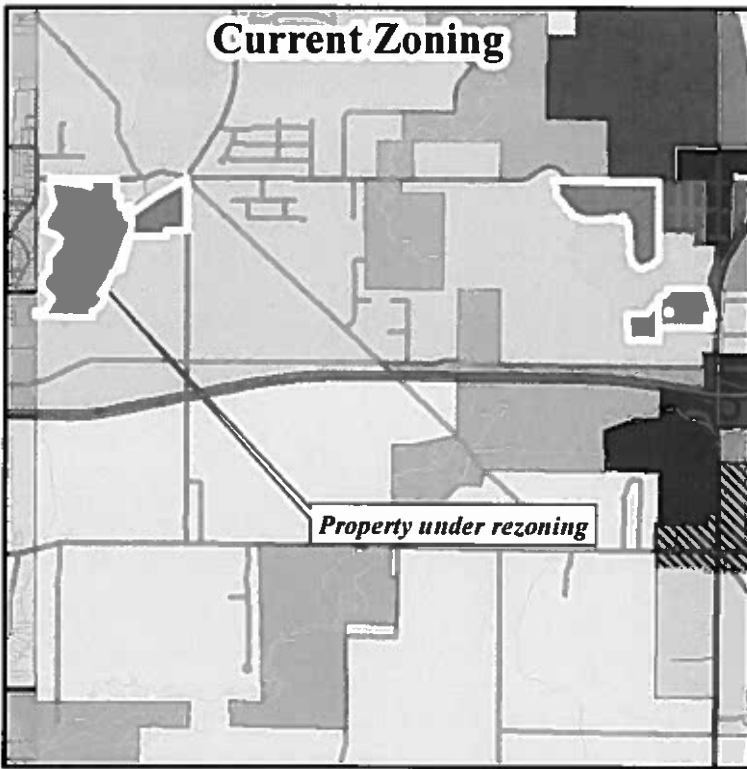
Rootstown Township






Property Rezoning from R-2 to L-D Aerial View

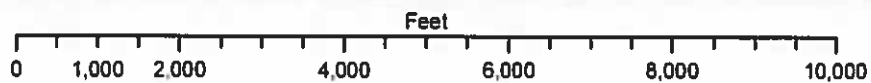
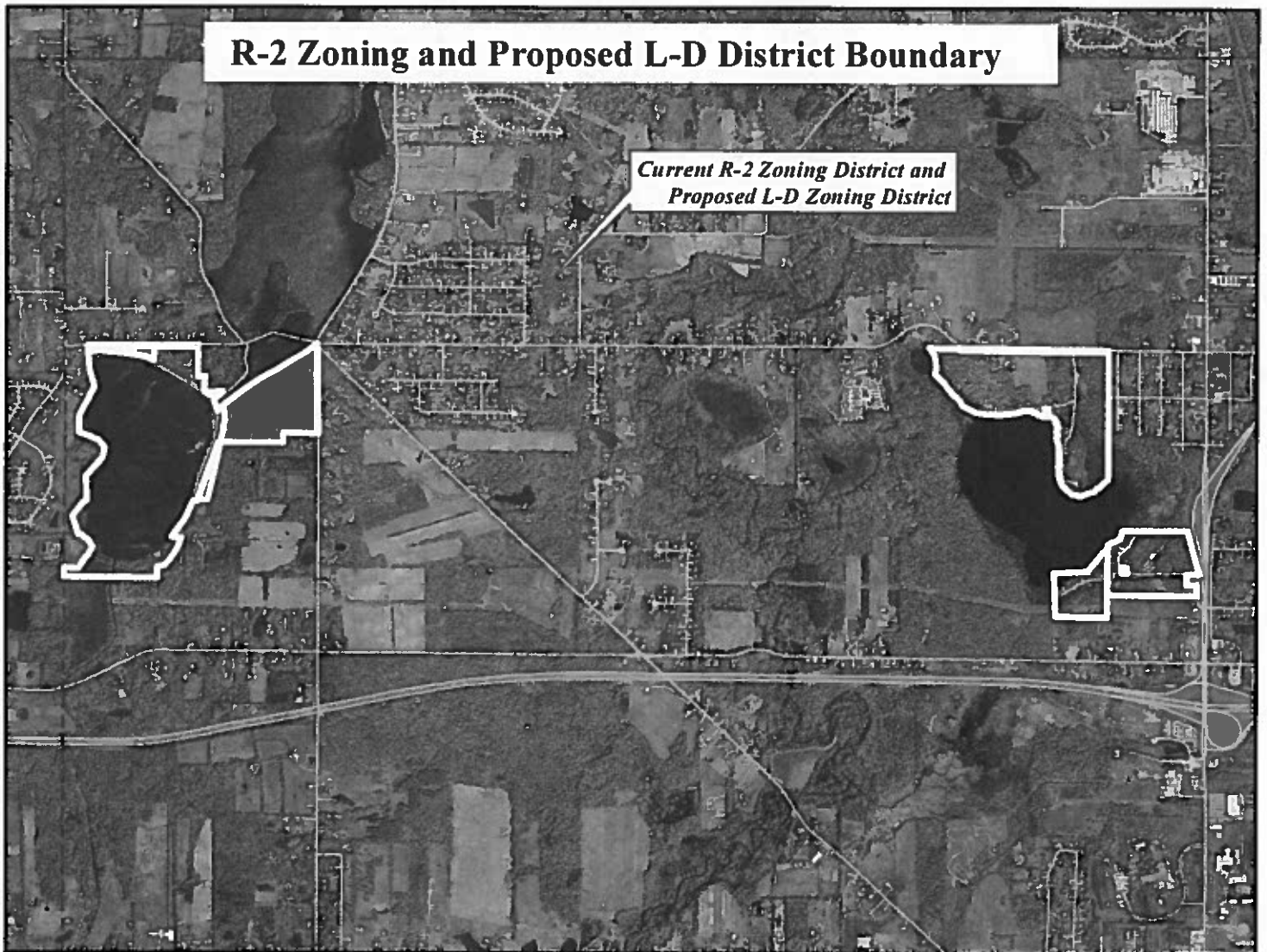


Proposed Rezoning

Rootstown Township



-  Open Space & Conservation
-  Single-Family Residential
-  Single-Family Residential 2
-  Multi-Family Residential
-  Residential Village
-  Residential Office
-  Village Center Business
-  Retail Business
-  General Commercial
-  Highway Interchange
-  Limited Industrial
-  General Industrial



**Amendment 4
Lake District
Section 340**

- | | |
|---|--|
| 340.01 Purpose. | |
| 340.02 Use regulations. | |
| 340.03 Schedule of permitted uses. | |
| 340.04 Lot requirements. | |
| 340.05 Yard requirements for Lake Districts. | |
| 340.07 Height requirements for principal buildings. | |
| | 340.08 Dwelling unit requirements. |
| | 340.09 Accessory use regulations for Lake Districts. |
| | 340.10 Regulations for home occupations. |
| | 340.11 Family day care home, type "B" |
| | 340.12 Development plan review for platted subdivisions. |
| | 340.13 Reasonable accommodation. |

SECTION 340.01 PURPOSE.

Lake District(s) (L-D) and their regulations are established in order to achieve, among others, the following purposes:

- A. To recognize pre-existing residential developments around Sandy and Muzzy Lakes;
 - 1. The Lake Districts are not intended to be expanded or to allow new residential developments on or around Sandy and Muzzy Lakes in a similar density or setback configuration.
- B. To regulate the bulk and location of dwellings to obtain proper privacy and useable open spaces for each unit appropriate for the various districts;
- C. To regulate the density and distribution of population in accordance with the Comprehensive Plan, to avoid congestion, and to provide adequate public services;
- D. To accommodate single-family residential development within the existing residential areas, at a density which is harmonious with the existing residential pattern;
- E. To provide for proper location of non-residential uses so as to increase the general convenience, safety and amenities;
- F. To promote the most desirable and beneficial use of the land in conformity with the Comprehensive Plan.

These resolutions shall become effective once the Rootstown Township Trustees and lake corporations, LLCs, and/or associations finalize and agree on a legal designated plot plan for the lake districts.

SECTION 340.02 USE REGULATIONS.

- A. A principal use of property shall include, but not be limited to, uses that are permitted or conditionally permitted.
- B. A use listed in Schedule 340.03 shall be permitted by right as a principal use in a district when denoted by the letter "P" provided that all requirements of other township resolutions and this Zoning Resolution have been met;
- C. A use listed in Schedule 340.03 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Board of Zoning Appeals first makes the determination that the requirements of Chapter 390 have been met according to the procedures set forth in Chapter 630;
- D. A use listed below shall be permitted as an accessory use in a lake district. Such use shall be permitted as a subordinate building or use when it is clearly incidental to and located on the same lot as the principal building or use. Accessory uses are further regulated in subsequent sections, as noted below.
 - 1. Garages and off-street parking areas in compliance with this chapter and Chapter 410;
 - 2. Family day care home, type "B", see also Section 340.11;
 - 3. Fences, see also Section 340.09;
 - 4. Home occupations, see also Section 340.10;
 - 5. Incidental accessory buildings and uses, see also Section 340.09;
 - 6. Signs in compliance with Chapter 420; and
 - 7. Swimming pools, see also Section 340.09.
 - 8. Recreational and community facilities for use by the residents of the Lake District.

Although a use may be indicated as a permitted principal, conditional or accessory use in a particular lake district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Resolution applicable to the specific use and parcel in question. Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Resolution and/or the Zoning Map as provided in Chapter 660.

SECTION 340.03 SCHEDULE OF PERMITTED USES.

	L-D Lake District Residential
A. Residential	
1. Single-family detached dwelling	P
2. Two-family dwelling	
3. Multi-family dwelling	
4. Family home for handicap	C
5. Group home for handicap	
6. Planned unit residential development	C
7. Platted subdivision	P
B. Open Space/Recreational	
1. Agriculture in compliance with Section 230.05	P
2. Wildlife refuge, game preserve	
3. Cemetery	
4. Parks, playgrounds	P
5. Golf courses	
6. Riding stables, swim clubs	C
7. Campgrounds, recreation areas	P
C. Community Facilities	
1. Child day care center	C
2. Adult day care center	C
3. Places of worship	C
4. Schools, public or private	
5. College, university	
6. Public safety facilities	
D. Other	
1. Offices on lots fronting on Sandy Lake Road or Rt. 44 (north of I-76)	
2. Congregate care facilities	C
3. Use of accessory agricultural building for limited commercial uses on lots larger than 25 acres	C
4. Soil removal/ extraction	
5. Gas and oil wells	C
6. Outdoor furnaces	
7. Wind/Solar Energy Systems	C / P
8. Telecommunication towers	See Chapter 460
P = Principal use permitted by right C= Conditional use	

SECTION 340.04 LOT REQUIREMENTS.

All lots existing in the L-D districts at the time of its establishment are considered conforming. Lots created in L-D districts after the effective date of this chapter shall conform to R-2 lot requirements, except as otherwise regulated in Chapter 320 for planned residential developments.

- A. Minimum Lot Area and Width. The area and width of lots created after the effective date of this chapter shall not be less than the area and width set forth in Schedule 340.04, unless a larger lot is required by Portage County Subdivision Regulations or the Portage County Health Department to adequately accommodate individual sanitary sewage disposal systems.
- B. Minimum Lot Frontage. Each lot shall have the minimum frontage on a public or private street as set forth in Schedule 340.04.
- C. One Dwelling per Lot. There shall not be more than one dwelling constructed on a lot.
- D. Schedule 340.04 Minimum Requirements:

	L-D
1. Lot Area for Single-family Dwelling	N/A
2. Lot Width at Building Line	65 ft.
3. Lot Frontage	60 ft.
NOTES: sf = square feet ft. = feet	

SECTION 340.05 YARD REQUIREMENTS FOR L-D DISTRICTS.

Principal buildings shall be located on a lot in a manner that maintains the minimum required yards set forth in this section for the district in which the lot is located, except as otherwise regulated in Chapter 320 for planned residential developments. Every part of a required yard shall be unobstructed and open to the sky.

The following shall be completed within 1 year of final inspection and/or occupancy, whichever occurs first:

- Final grading and final stabilization (see Chapter 150) of soil
 - Grass seeding or placement of sod
- A. Required Front Yard. Each lot shall maintain a front yard in compliance with the following:
1. Each front yard shall not be less than the depth specified in Schedule 340.05, measured from the street right-of-way line. If there is no established right-of-way line for any road or street, the right-of-way line shall be deemed to be 25 feet from the centerline of the roadway.
 2. Notwithstanding subsection A.1, in areas where there are dwelling units on at least 40 percent of the lots within 200 feet of and on the same side of the street as the lot for which a zoning certificate has been requested, the minimum required front yard shall not be less than the average front yard depth of such existing dwellings. However, in no case shall the required front yard be less than 20 feet, measured from the edge of pavement.
 3. Corner lots and through lots shall comply with the front yard setback for each street on which the lot has frontage.
- B. Required Side Yards. Each interior and through lot shall have and maintain two side yards. Schedule 340.05 sets forth the minimum width of any one side yard and the minimum total width of both side yards. Corner lots shall maintain one side yard that shall comply with the minimum width set forth in Schedule 340.05.
- C. Required Rear Yards. Each lot shall maintain a rear yard as specified in Schedule 340.05.

D. Schedule 340.05: Minimum Yard Requirements.

	L-D
1. Front	
(a) State highway	N/A
(b) All other streets	25 ft.
2. Side	
(a) Minimum	7 ft.
(b) Total both sides	14 ft.
3. Rear yard	10 ft.

- E. Existing footprints shall not be considered non-conforming, but all new construction shall meet the setbacks as described in this section. Structures destroyed by natural disasters may be repaired or replaced subject to Section 450.02 D.

SECTION 340.07 HEIGHT REGULATIONS FOR PRINCIPAL BUILDINGS.

Principal buildings shall comply with the following height regulations.

- A. The height of principal buildings shall not exceed 35 feet.
- B. The height of accessory buildings shall not exceed 28 feet.
- C. Exceptions to the height regulations are set forth in Section 230.06.

SECTION 340.08 DWELLING UNIT REQUIREMENTS.

In order to promote healthful living conditions and to stabilize the value and character of residential areas, all dwelling units shall be erected, altered, moved, maintained or occupied only in accordance with the following:

- A. Required Area.
 - 1. Single-family detached dwelling units shall have a minimum dwelling unit floor area of 1,000 square feet and a minimum foundation area of 800 square feet.

- B. One Story Above Ground. All dwellings shall have at least one story above ground level and shall have a continuous and complete solid concrete or masonry perimeter foundation installed to a depth below the frost line.
- C. Attached Garage Required. Every dwelling unit shall have an enclosed garage, either attached or detached, with a minimum area of 240 square feet.
- D. Siting Requirements for Dwellings. All single-family dwellings proposed to be located in any district shall comply with the following requirements:
 - 1. The structure shall be installed upon and properly attached to a foundation system that provides adequate support of the structure's vertical and horizontal loads and transfers these and other imposed forces, without failure, from the structure to the undisturbed ground below the frost line in compliance with the Portage County Building Department regulations.
 - 2. Any hitches, axles, wheels, and conveyance mechanisms from factory-built housing shall be removed from the structure.
 - 3. Dwellings shall have a minimum width of 22 feet parallel or within 45° of being parallel to the front lot line.
 - 4. The minimum pitch of the main roof of the dwelling shall not be less than 3 feet rise for each 12 feet of horizontal run.
 - 5. The lot shall be suitably landscaped and consistent with Section 430.

SECTION 340.09 ACCESSORY USE REGULATIONS FOR LAKE DISTRICTS.

Accessory uses, buildings and structures permitted in L-D districts shall conform to the location, coverage and maintenance standards contained in this Section.

- A. Principal Building Projections in Required Yards. Skylights, sills, belt-courses, cornices, chimneys, and ornamental features attached to the principal building may project a maximum of 12 inches into a required yard.
- B. Minimum Yard Requirements for Accessory Uses. An accessory building or use permitted in a lake district shall be located as set forth herein. However, an accessory use shall only be permitted to the extent such use complies with all other accessory use regulations set forth in this section.

Schedule 340.09B.

Structure or Use	Yard Permitted	Setback From Lot Line		
		Front ^(a)	Side	Rear
1. Detached accessory buildings	Side, Rear ^(b)	Same as Principal Bldg. - See Schedule 340.05 D.1	3 ft.	3 ft.
A. Equal or less than 10'x 12' footprint				
B. Equal or less than 12' x 16' footprint				
C. Greater than 12'x16'				
2. Terraces, uncovered porches, platforms, ornamental features that do not extend more than 2 feet above the ground ^(c)	Side, rear	NA	10 ft.	10 ft.
3. Driveways	Front, side, rear	--	0 ft.	0 ft.
4. Outdoor storage of recreation vehicle or trailer	Front, side, rear	5 ft.	5 ft.	5 ft.
5. Swimming pools	Rear	NA	10 ft.	10 ft.
6. Fences, walls	Front, side, rear	0 ^(d)	0 ^(d)	0 ^(d)
7. Dish antennas with a diameter greater than 39 inches	Rear	NA	10 ft.	10 ft.
<p>Notes to Schedule 340.09B:</p> <p>(a) Including all lot lines that abut a street on a corner lot.</p> <p>(b) Except as otherwise regulated for agricultural accessory buildings in Section 230.05C.1.</p> <p>(c) Structures that extend more than 2 feet above the ground and which are attached to the principal building shall comply with the yard requirements in Section 340.05, except as otherwise regulated in Section 340.09A.</p> <p>(d) Except that a fence which constitutes a corral shall comply with the setback requirements in Section 230.05C.1.</p>				

C. Maximum Floor Area of Accessory Buildings and Structures.

1. The combined total square footage of all detached residential accessory buildings and structures permitted to be constructed on a parcel shall not exceed the following percentages of the parcel's overall size:

		<u>Max. Foundation</u>	<u>Height</u>
a.	0 – to 1/2 acre	-- 450 sq ft	28'
b.	over 1/2 to 1 acre	-- 600 sq ft	28'
c.	over 1 to 2 acres	-- 900 sq ft	28'
d.	over 2 to 5 acres	-- 1,200 sq ft	28'
e.	over 5 acres	-- 2,000 sq ft	28'

2. Agricultural accessory buildings and structures shall comply with Section 230.05.

D. Additional Regulations for Accessory Buildings.

1. Accessory buildings that are detached from the principal building shall comply with the setback requirements of Schedule 340.09 and shall be located a minimum of 10 feet from the principal building.
2. All other accessory buildings shall be attached to the principal building, shall be made structurally a part thereof, and shall comply with the setback requirements for principal buildings set forth in Schedule 340.05.

E. Additional Regulations for Parking Areas and Driveways. In addition to the area and locational requirements of Sections 340.09B and 340.09C, driveways and open, off-street parking areas shall comply with the following:

1. Each dwelling unit shall have its own separate driveway except as otherwise permitted for Planned Residential Developments.
2. Driveways may be used for the parking of private motor vehicles owned by the occupants of the dwelling and their visitors.
3. The repair and rebuilding of a vehicle owned by a resident is permitted, but only if conducted within an enclosed private garage. The dismantling or spray painting of vehicles is prohibited on a residential lot.

F. Parking or Storage of Recreational Vehicles and Trailers. In addition to the location requirements of Schedule 340.09B, any recreational vehicle or trailer shall be either stored wholly within a garage or outdoors in compliance with the following regulations.