

Jackson Township Zoning Commission Meeting Minutes  
January 17, 2019

Members Present: James Conley  
John Weston  
Chylece Head  
Matthew Sutter  
Justin Gantz-Alternate  
Matthew Williams-Alternate

Zoning Inspector: Joni Poindexter

Absent Members: David Thiel

The first item of business is for nominations for Chairman and Vice Chairman for 2019.

Mr. Weston nominated Mr. Conley to serve as Chairman for 2019.

Ms. Head seconded the motion.

Being no further nominations the vote as follows:

The vote was: Mr. Gantz-yes, Mr. Sutter-yes, Ms. Head-yes, Mr. Weston-yes, and Mr. Conley-yes.

Ms. Head nominated Mr. Weston to serve as Vice Chairman for 2019.

Mr. Sutter seconded the motion.

Being no further nominations the vote as follows:

The vote was: Mr. Gantz-yes, Mr. Sutter-yes, Ms. Head-yes, Mr. Weston-yes, and Mr. Conley-yes.

**5:00 PM Amendment 635-19** The Jackson Township Board of Trustees, 5735 Wales Ave. NW, Massillon, Ohio 44646 propose misc. text amendments to the Jackson Township Zoning Resolution, including but not limited to, Skill Based Amusement Machines, Congregate Living Developments in the B-3 District, Commercial Trash Containers in residential districts, expiration of zoning certificates, updating and revamping the signage regulations and re-wording other regulations for clarification purposes.

Mr. Conley stated that Stark County Regional Planning Commission has recommended approval of a modification for the text amendments.

Mr. Conley asked Ms. Poindexter to review the amendments that are requested.

Ms. Poindexter stated that the original modifications are highlighted in green. Any modifications based on the recommendation of Stark County Regional Planning are highlighted in red.

Ms. Poindexter reviewed the amendments.

Mr. Conley asked if Type A and Type B games as defined for skilled games are the type of games that would be permitted in Jackson Township.

Ms. Poindexter stated that is correct.

Regarding Section 302.6 Ms. Poindexter explained that the township has the right to regulate agricultural uses on five acres or less so the change is just clarifying that permit fees, setbacks and size regulations would apply for agricultural building on five acres or less.

Regarding Schedule 401.11 Ms. Poindexter stated they are adding gym equipment to prevent someone from putting equipment up in their front yard area.

Temporary Storage PODS are already in the regulations but we are adding a reference as to where the regulations can be found.

Regarding Section 401.12 (A) (4) Ms. Poindexter explained the regulation is not changing but it is reworded for clarification purposes.

Under B-(1) "The square footage of a swimming pool shall not be counted when calculating the total square footage of accessory structures permitted on a lot or parcel" is being removed because there is a limit on accessory buildings and a swimming pool is not a building so this is not needed.

Under (c) this is to clarify the regulations for decks with or without a roof as well as decks as an accessory to a boat dock.

Under (f) (1) it is to clarify that a permit is required for a new or replacement fence but not for the repairing of an existing fence.

Under (l) this is to change the time period that a temporary storage POD would be permitted.

Ms. Head stated she thought that it should say storage container because POD is just a name.

The board agreed to add storage container wherever POD's are addressed.

Under (R) Mr. Sutter had a concern regarding a time limit for a commercial trash container or dumpster for new construction because someone may need a trash container or dumpster for a longer period of time if constructing something new such as building a home.

Ms. Poindexter stated this section didn't really apply to new construction but could see where it would be an issue. It was agreed that a sentence would be added to state "For the purpose of the section the time period of 90 days shall not apply when the trash container or dumpster is being utilized for new construction." It was felt this would cover commercial dumpsters and trash containers utilized for new construction that may take longer than 90 days.

Regarding Section 411.1 (c) Congregate living developments and facilities is being added due to another change that will allow this use in the B-3 district.

The board had no issues to the proposed amendments for Section 411.3.

The board had no issues to the proposed amendment for Section 411.9 as this is only revamping the language and no changes are being proposed.

Regarding Section 411.20 Ms. Poindexter explained that this is a new section that allows a congregate living development in the B-3 district and the regulations pretty much mimic some of the regulations that are currently in place for a congregate living development that is already in the regulations for other districts except for the minimum acreage and density requirements.

The board made a few minor modifications for clarification purposes.

Regarding Section 412.11 Ms. Poindexter explained there is no change to the regulation. It is revamping the way it is written.

Regarding Section 431.5 and 431.6 the proposed items are being deleted to coincide with the other regulations.

Regarding Section 601.2 changes are being made for clarification purposes. A footnote would be added to the notes of the table because there is reference to it but there is no footnote. Parking space requirements are being added for non-public areas for Storage/Shipping/Receiving areas as an accessory to a principal use.

Regarding section 801.4 this is to put a time period to keep permits that have been processed but never picked up or paid for. After 2 years they would become null and void.

Mr. Conley stated that two years seemed like a long time.

Ms. Poindexter explained this is to coincide with the records retention schedule.

Regarding Section 801.5 language is being added as to what is determined to be substantial completion for new building or additions and if the project is not finished within 2 years the zoning permit may be extended upon certain circumstances.

Ms. Poindexter explained that any section numbers that change due to additions, deletions or modification would be reflected in the zoning book.

Regarding the proposed amendments to the sign regulations the only modification to the original amendments are correction of grammatical errors and in the table for off premise signs in commercial and industrial districts it inadvertently stated residential districts so this was corrected.

Mr. Weston made a motion to approve amendment 635-19 as amended.

Ms. Head seconded the motion.

The vote was: Mr. Gantz-yes, Mr. Sutter-yes, Ms. Head-yes, Mr. Weston-yes, and Mr. Conely-yes.

Ms. Poindexter stated the amendment will go before the Trustees at their February 12, 2019 meeting at 5:15 PM.

The modifications to the original amendment would be highlighted in Red.

Ms. Poindexter asked for a motion to approve the meeting minutes from the October 18, 2018 meeting, as that was the last time the board held a meeting. Those in attendance were Ms. Head, Mr. Weston and Mr. Conley.

Mr. Weston made a motion to approve the meeting minutes from the October 18, 2018 meeting.

Ms. Head seconded the motion.

The vote was: Ms. Head-yes, Mr. Weston-yes, and Mr. Conley-yes.

Mr. Conley gave some discussion as to he thinks the board should be able to grant rezoning for commercial uses based on the use that is proposed and if approved, if that use is not built then the zoning would revert back to its current zoning.

Mr. Conley stated that he knows Ms. Poindexter and Mr. Vaccaro do not agree with him.

Ms. Poindexter stated this came up before with the property on Wales and the township cannot revert zoning back to what it currently was.

Mr. Conley stated he thinks it can and needs to see something that tells them they can't do it.

Ms. Poindexter stated that Mr. Conley could do some research and discuss his finding with Mr. Vaccaro, as Mr. Vaccaro is the attorney for the township.

Mr. Conley adjourned the meeting.

Respectfully submitted,

Joni Poindexter

Jackson Township Zoning Inspector