

Minutes
Nimishillen Township Board of Zoning Commission
4422 Maplegrove NE, Louisville, OH 44641
Wednesday, May 3, 2023 – 7:00 PM

Board Members Present: Regan Starkey, Chairman
Larry Marks, Vice Chairman
Rich Lindner, Member
Brent Hunter, Secretary
Tony Marko, Alternate

Board Members Absent: Herb Klebaum, Member

Zoning Inspector: Jeff Shipman

Purpose: Discuss 3 zoning changes:

- Two tracts, Lots 127 &- 128 in C.E. Shilling Allotment SE ¼ Section 30, Louisville, Ohio 44641 from I2 to R2;
- One tract, .28 acre, Southwest corner of Mann and Fruitland in the SW ¼ Section 29 from R1 to R2;
- Parcel 3309206, 6452 State Street, Louisville, Ohio 44641, Section 5 from RR to B3.

Work session to continue the rewriting of the Zoning Resolution

Call Hearing to Order:

Chairman Regan Starkey introduced the Board and other staff members present.

New Business:

Two tracts, Lots 127 &- 128 in C.E. Shilling Allotment SE ¼ Section 30, Louisville, Ohio 44641 from I2 to R2 (Norman Saeger Architecture) – Mr. Starkey informed the board that this request is to change lots that are too small for I2 use to R2 use and to change the setbacks. Mr. Starkey informed everyone that the zoning change for I2 to R2 is a map change and falls under the authority of the BZC. The setback however, is a variance and would need to be taken to the Board of Zoning Appeals. There were no comments from those present. A public hearing was set for May 24, 2023. The Board took a few minutes to review the map of the area being discussed.

Parcel 3309206, 6452 State Street, Louisville, Ohio 44641, Section 5 from RR to B3 (Stephanie Carpico & Jason Kovach) – Mr. Starkey said this had been submitted to Regional Planning and that their recommendation was denial. This is 19.5 acres on the south side of State Street, requesting a change to General Business. Regional Planning recommendation was because:

1. The area around this tract consists primarily of low density residential and vacant land. Further north on State Street there is a tract identified as business and another identified as recreation.
2. The existing zoning generally follows the land use as RR. Rural Residential district exists to the south, east, and west. To the north, in Marlboro Township is the I1.

3. According to the application, the owners are looking to change the zoning to B3, General Business, due to the adjacent parcel to the north having a different zoning classification.
4. The 2040 Stark County Comprehensive Plan indicates this area will progress as rural and agricultural.
5. The parcel appears to have been zoned RR since the 1970's. Regional Planning has not reviewed any zone change requests for this property since then.
6. Although the adjacent tracts to the north side in Marlboro Township are zoned for industrial use, the tracts on the south side of State St. are not being utilized in any industrial compacity. Additionally, there is minimum commercial use on the north side of State St.
7. Area is not served by sanitary sewer or public water which is generally required for the type of commercial development that would be permitted in a B3.

It also talks about some of the uses that could happen in a B3. These are: indoor/outdoor recreational, drive-through facilities for food and banking, automobile service stations and service shops (including muffler, body work, tire repair, automobile, truck, trailer, and farm implement sales, service and storage, car washes, hotels and motels). These uses could have a detrimental effect on the adjacent residential uses as well as the water features on the subject property and adjacent tracts.

Stephanie Carpico – 6452 State St. NE, Louisville, OH 44641 – They want to open apiary because they raise bees and have fruit trees. They were going to go agricultural, however, they want to build their building to commercial code for a possible winery with an event room and tap room. There is a shooting range and airplanes across the street. There is also a winery down the street. There will be a public hearing on May 24, 2023. There was discussion about the entrance that will actually be in Marlboro Township. Mr. Starkey mentioned that he was concerned about requesting a B3. B2 would limit the size of the building. The board explained that if they were to approve a B3, this would allow something like six story building and even though the current owners have no intention of doing this, if the land were to be sold, they would be able to build anything allowed by B3 zoning.

One tract, .28 acre, Southwest corner of Mann and Fruitland in the SW ¼ Section 29 from R1 to R2 - Michael Oprandi – 9800 Georgetown Street, Louisville, OH 44641 – Used to be an extra lot but the lot next to it with the house sold without this lot. They are trying to build a single-family home. They are unable to get a purchaser for the lot. There is a purchaser who would like to put a duplex on the lot. There is currently a duplex next door. Mr. Starkey let Mr. Oprandi know that the size of the lot is not large enough for a duplex as required by our Zoning Resolution. There will be a public hearing on May 24, 2023.

Motion to Approve the Minutes from April 5, 2023 - All voted Aye

Old Business:

ARTICLE VII-DISTRICT REGULATIONS:

701 – R-R RURAL RESIDENTIAL DISTRICT

SECTION 701.2 – A. PERMITTED USES – Mr. Starkey noted that several of these had recently been updated – No Changes

SECTION 701.2 – B. CONDITIONALLY PERMITTED USES – Mr. Starkey inquired as to what is a “Private Fire Station”? Mr. Marks responded that it is one created and the people it serves pay for. – No Changes

SECTION 701.3 – MINIMUM LOT AND YARD REQUIREMENTS – After a short discussion it was decided there would be no changes

SECTION 701.4 – MAXIMUM BUILDING HEIGHT– No changes

SECTION 701.5 – MINIMUM FLOOR AREA FOR SINGLE FAMILY DWELLING – No changes

702 – R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

SECTION 702.2– USES – No changes

SECTION 702.3 – MINIMUM LOT AND YARD REQUIREMENTS – No changes

SECTION 702.4 – MAXIMUM BUILDING HEIGHT– No changes

SECTION 702.5 – MINIMUM FLOOR AREA FOR SINGLE FAMILY DWELLING – No changes

703 – R-2 ONE- AND TWO-FAMILY RESIDENTIAL DISTRICT

SECTION 703.2– USES – No Changes

SECTION 703.3 – MINIMUM LOT AND YARD REQUIREMENTS – No changes

SECTION 703.4 – MAXIMUM BUILDING HEIGHT– No changes

SECTION 703.5 – MINIMUM FLOOR AREA – There was discussion regarding the 1,100 square feet per dwelling unit not per building. It was decided that no changes would be made.

704 – R-3 LOW DENSITY MULTIFAMILY RESIDENTIAL DISTRICT

SECTION 704.2– USES – No changes

SECTION 704.3 – MINIMUM LOT AND YARD REQUIREMENTS – No changes

SECTION 704.4 – MAXIMUM BUILDING HEIGHT– No changes

SECTION 704.5 – SITE PLAN REQUIREMENTS– No changes

SECTION 704.6 – MINIMUM FLOOR AREA – No changes

SECTION 704.7 – MAXIMUM BUILDING HEIGHT– No changes

711 – B-1 SUBURBAN OFFICE DISTRICT

SECTION 711.2 – USES – No changes

SECTION 711.3 – LOT REQUIREMENTS – No Changes

SECTION 711.5 – MAXIMUM BUILDING HEIGHT – No Changes

SECTION 711.6 – PARKING AND LOADING REQUIREMENTS – No Changes

SECTION 713.3 – LOT REQUIREMENTS – No changes

SECTION 713.4 – YARD REQUIREMENTS – No changes

SECTION 713.5 – MAXIMUM BUILDING HEIGHT – No changes

SECTION 713.6 – PARKING AND LOADING REQUIREMENTS – No changes

SECTION 713.7 – OUTDOOR PLAY AREAS – No changes

Adjournment:

REGAN STARKEY MOTIONED TO ADJOURN AT 7:57 PM SECONDED BY BRENT HUNTER. The Board responded by saying 'I'. ALL WERE IN FAVOR. MOTION CARRIED.

Regan Starkey, Chairman
Nimishillen Township Board of Commission

Brent Hunter, Secretary
Nimishillen Township Board of Commission

/sks

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