

**FLORENCE TOWNSHIP ZONING COMMISSION**  
**Organizational and Work Session Meeting Minutes**  
**January 8, 2020**

***Organizational Meeting***

Jolynne Marsh called the meeting to order at 7:30 p.m. The purpose of the meeting was the Zoning Commission organizational meeting for 2020 and a work session. Members present: Jolynne Marsh, Dan Sayler, Milt Sayler, Richard Woodin and alternate Tammy McLoda. Absent: Jeff Blodgett.

Dan Sayler made the motion, seconded by Milt Sayler to approve the minutes from the Zoning Commission organizational meeting on January 9, 2019. Roll Call: Ms. Marsh, yes; Dan Sayler, yes; Milt Sayler, yes, Mr. Woodin, yes; Ms. McLoda, yes. Motion passed.

Dan Sayler made the motion, seconded by Milt Sayler to nominate Jolynne Marsh as Chairman of the Zoning Commission for 2020. Roll Call: Ms. Marsh, yes; Dan Sayler, yes; Milt Sayler, yes, Mr. Woodin, yes; Ms. McLoda, yes. Motion passed.

Dan Sayler made the motion, seconded by Milt Sayler to nominate Dan Sayler as Vice Chairman of the Zoning Commission for 2020. Roll Call: Ms. Marsh, yes; Dan Sayler, yes; Milt Sayler, yes, Mr. Woodin, yes; Ms. McLoda, yes. Motion passed.

*(The Ohio Revised Code 121.22(F) requires the Zoning Commission to make a motion for a resolution to approve a reasonable method that allows the public to determine the time, place and purpose of our organizational, informational and work session meetings. We must do this once a year.)*

Milt Sayler made the motion, seconded by Ms. McLoda for a resolution for the Florence Township Zoning Commission Erie County, State of Ohio to post a notice to the public for organizational, informational and work session meetings on the Florence Township website ([www.florencetwp.com](http://www.florencetwp.com)) and also on the outside bulletin board of the Florence Township Office at 11011 Chapel Street, Wakeman, Ohio 44889.

Roll Call: Ms. Marsh, yes; Dan Sayler, yes; Milt Sayler, yes, Mr. Woodin, yes; Ms. McLoda, yes. Motion passed.

***Work Session***

The Assistant Prosecutor Susan Brown from the Civil Division and the Secretary had been working together to update the proposed Application for Map Amendment and Text Amendment forms. Ms. Brown stated she had a Township Zoning Amendment Procedure form for us. She stated that we wanted to make sure that our forms were consistent with our Zoning Resolution codes and what was required of the applicant. We also wanted to get some consistency with all the forms for the BZA and the Zoning Commission.

She stated that the applicant should be the one to identify all the parties of interest on the form (not the Zoning Inspector) and that he should be the check system after the applicant identifies the parties. Ms. Brown stated that it was not changed to remove Dave's obligation to review the application for accuracy because all the applications will indicate that they will not be forwarded to the board before they are complete. By having Dave identify the interested parties, shifts all the responsibility on the township and not the applicant.

Ms. Brown discussed parties of interest. Ms. Brown stated that we did a good job on listing the parties of interest to be notified, with 500 foot radius being very generous and that we are beyond what our statutory duty requires. She explained that in Article 8.3, Section 8, Contents of Application for Zoning Map Amendment, "*and others that may have interest in the case*" can be removed from our Resolution and is not needed. This is extra language and may have a negative effect; we have a strong language using 500 feet.

Ms. Brown stated that The Zoning Inspector will have a certain period of time to review the application to make sure it is complete and make sure all the requirements of the application have been complied with. He is then to give a notice to the applicant within a certain amount of days by sending ordinary mail using the address they put on the application, indicating whether the application is complete or it is insufficient (and specify what is insufficient). When the application is complete, it will then be forwarded to the Board. Ms. Brown stated that litigation is much easier when the application is complete and the applicant knows what is required of them when completing the application.

After the receipt of the application, it shall be transmitted within (5) days to the Regional Planning Commission to recommend approval or denial of the proposed amendment (Article 8.6). Ms. Brown would recommend (5) days.

Dan Sayler asked about a text amendment for a private property owner. Ms. Brown stated that a text amendment can be initiated by one of the following: 1) Zoning Commission 2) Board of Trustees or 3) by one owner or lessee of property proposed to be changed (Article 8.2). Mr. Sayler explained that there was a situation in Florence that escalated to a large text amendment and asked if the group could back again and requested the text amendment again. Ms. Brown stated that they had a statutory right to do that. However, with the Text Amendment form, they will be required to complete the application to include all the language and information that the form requires to be complete. The completed application will be forwarded to Regional Planning Commission for their recommendation; the Zoning Commission will have a public hearing and will forward it to the Trustees for their decision.

Ms. Brown stated that she had a concern that she called Regional Planning about. Tim King was not aware of this language in Article 8.4, Section 2: *"The proposed amending resolution, approved as to form by the County Prosecutor."* We as lawyers do not represent private citizens; it is in conflict with the township's interest. Ms. Brown recommends remove this language above with a text amendment. Ms. Brown explained that the last paragraph ensures that the applicant agrees that the information is complete and accurate. The rest of the forms track our Zoning Resolution.

Ms. Brown stated that the application must be sent to Regional Planning within (5) days of receipt. The Zoning Commission has to set their public hearing between 20 and 40 days. If the application is not complete, then Dave has to document why not, and the application won't be accepted until it is complete. An incomplete application is not compliant; therefore, it is not pending.

Ms. Brown again recommended to limit our language for what the State of Ohio states and remove the phrase in Article 8.3, Section 8, Contents of Application for Zoning Map Amendment, *"and others that may have interest in the case"*.

Motion was made by Ms. Marsh, seconded by Milt Sayler to approve the proposed Applications for both the Map Amendment and the Text Amendments as is, with the 5 day period for the Zoning Inspector to review and to forward them to the Trustees. Roll Call: Ms. Marsh, yes; Dan Sayler, yes; Milt Sayler, yes, Mr. Woodin, yes; Ms. McLoda, yes. Motion passed.

Motion was made by Dan Sayler, seconded by Ms. Marsh to adjourn the meeting. Roll Call: Ms. Marsh, yes; Dan Sayler, yes; Milt Sayler, yes, Mr. Woodin, yes; Ms. McLoda, yes. Motion passed.

The next Zoning Commission meeting will be a work session on February 12, 2020 at 7:00 p.m. to complete our proposed "long range land use map."