

FLORENCE TOWNSHIP ZONING COMMISSION
Organizational Meeting Minutes
January 11, 2023

Meeting was called to order by Vice Chairman Dan Sayler at 7:08 p.m. The purpose of the meeting was the organizational meeting for 2023 and also a work session. Members present: Dan Sayler, Jeff Blodgett, Milt Sayler, Richard Woodin and alternate Tammy McLoda. Absent: Jolynne Marsh. Also present: Zoning Inspector Jeff Fantozzi, Tim King from Erie County Regional Planning, and some residents.

Milt Sayler made the motion, seconded by Mr. Blodgett to approve the minutes from the last meeting on November 9, 2022. Roll Call: Dan Sayler, yes, Mr. Blodgett, yes; Milt Sayler, yes; Mr. Woodin, yes, Ms. McLoda, yes. Motion passed.

Dan Sayler made the motion, seconded by Mr. Blodgett to nominate Jolynne Marsh as Chairman of the Zoning Commission for 2023. Roll Call: Dan Sayler, yes, Mr. Blodgett, yes; Milt Sayler, yes; Mr. Woodin, yes, Ms. McLoda, yes. Motion passed.

Milt Sayler made the motion, seconded by Ms. McLoda to nominate Dan Sayler as Vice Chairman of the Zoning Commission for 2023. Roll Call: Dan Sayler, yes, Mr. Blodgett, 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.)

Mr. Blodgett made the motion, seconded by Milt Sayler 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) and also on the outside bulletin board of the Florence Township Office at 11011 Chapel Street, Wakeman, Ohio 44889.

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

Work Session

The purpose of the work session is to review and discuss the proposed language from Assistant Prosecutor Jason Hinners on “short-term” rentals to amend the Zoning Resolution Book.

Mr. King stated that the township should have something in place until the state gives us some regulation. What the state has in place now would preempt any local legislation. He stated that the difference between the Bed and Breakfast and an Air B&B, for the Bed and Breakfast, technically the owner has to be onsite which is the residence for that person, and the rental part is secondary.

Mr. Blodgett asked if this language is proposed. Mr. King stated that it was drafted for Milan township by the Prosecutor’s office. He said that the numbering would be changed. Milan placed it the Agricultural district and also, they require it to be a conditionally permitted use, which adds another layer of opportunity for the township to add more regulation to it. This language also requires that the rental must be registered with the Erie County Auditor for lodging taxes to be collected (page 2 a).

Mr. King stated that if the rental has already been in existence when this becomes law, it would be grandfathered in. The owner should go to the Auditor to register for lodging taxes if they have already been in business. Milt Sayler asked about any violations (p.3 k). Mr. King will ask the prosecutor for clarification. Swimming pools and hot tubs were discussed.

Mr. King stated that the language does not need to be changed much because it has a solid foundation. After some discussion of the proposed language for short-term rentals, the Zoning Commission would like to discuss/revise the following points:

- Page 1 Strike 3.168, sidewalk
 Article 11.2, e) replace with “Article 21”
 Article 11.2 f) separate “g”, length of stay...
- Page 2 e) insert “Florence” township
 f) replace with “Article 21”
- Page 3 f) at top, replace with “Florence”
 g) Clarify - Is this out of our hands?
 i) Clarify swimming pools?
 j) replace “Florence” township
 k) Clarify a and b, “Revocation of conditional use permit”

Dan Sayler asked if the property would have to be rezoned if a short-term rental was requested in the commercial zoned district. Mr. King said yes, however, you can place it in more than one district. Mr. King stated that a person could apply for a “use variance” to put a B&B in an industrial district, but he did not like it because it defeats the purpose of the zoning code. That is why all the districts were created.

Mr. Fantozzi stated he was looking at other language out there and wanted to post for availability at our town hall one of or even two contact persons who will be responsible for handling any problems that arise with the rental property (whether it would be put on himself or the fire chief). Also, we need to notify the neighbors and even have their agreement on knowing that this is coming in because on a variance you have to have 500 feet radius on those around you and need to get permission on those people too. He stated that we are going in the right direction.

Tammy McLoda stated she was not sure we have to address in the definition of “swimming pool” in our resolution book (p. 24, 3.98), where it says, “use exclusively by residents and their non-paying guests”, for pg. 3, j, i. Mr. King said we can check with Jason Hinnens when he comes to our February 8th meeting.

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

The next Zoning Commission meeting will be February 8, 2023, at 7:00 p.m.