

City of Norton
PLANNING COMMISSION
Tuesday, January 14, 2020

The Planning Commission of the City of Norton, Ohio, convened for a public meeting in Council Chambers at the Safety Administration Building. Chairman Dowling called the meeting to order at 6:02 p.m.

I. ATTENDANCE:

PRESENT: Ralph Dowling, John Conklin, Ruth Stimac, and Marion Peterson

EXCUSED: Jim Lada

ALSO PRESENT: Bill Braman-Zoning Inspector; Shannon Szittai- Administrative Assistant; Jack Gainer- Ward One Councilman; Charlotte Whipkey-Council at Large;

II. OLD BUSINESS:

Chairman Dowling stated that we had no old business.

III. NEW BUSINESS:

PC Application R1-2020
Rezone
Lydia Walent – Owner
Lot #25 S of Grenfall Rd.
Norton, Ohio 44203
PPN # – 46-04712
[Rezone – Commercial to Residential]

Mr. Dowling stated the Commission had three applications for rezoning with the first being PC Application R1-2020, lot #26 S, on Grenfall Road and invited the applicant to speak.

Ms. Lydia Walent, the owner, stated her husband had changed it from residential to commercial and then never built on it. He has passed and she wanted to sell, but has not been able sell it as a commercial property so wanted to change it back to residential.

Mr. Braman suggested speaking to the realtor on that.

Ms. Mary Jo Nichols, the realtor, approached the podium and Mr. Dowling stated he believed there were three properties that are zoned business right now and taking the largest to be rezoned. Ms. Nichols stated they had been trying to sell it as commercial for several years, but everyone that is interested asks about building a home on it. Ms. Nichols explained that Mr. Walent had wanted to build a business there, but did not before he passed. Now they need to sell it and cannot as commercial, but she believes it would sell as a residential property.

Mr. Dowling asked if there had been much interest from buyers and Ms. Nichols responded they had several calls for it as a residential, but none as commercial.

Mr. Dowling asked Mr. Braman if he had any points or concerns from the City.

Mr. Braman responded he had spoke to the City and since it is actually located on Grenfall and not facing Cleveland Massillon that is likely why there was no commercial interest on it. The City has no objection to changing as the overlay is not involved and it is right next to residential properties anyway.

Mr. Dowling stated he didn't see any issues with the application and no one else offered any so he asked for a motion.

Ms. Stimac made a motion to approve PC Application R1-2020 rezoning from commercial to residential and Mr. Peterson seconded.

ROLL CALL: Ms. Stimac-Yes; Mr. Peterson-Yes; Mr. Conklin -Yes; Mr. Dowling-Yes; Motion 4-0...Approved

Mr. Dowling stated this would go on to Council for their action.

Council initiated Zone Change R2-2020

Rezone R1 to I-1

Ordinance No. 124-2019

**PPN # – 46-08000, 46-08001, 46-08002, 46-04438, 4604439, 46-03581,
46-02627, 46-08436, 46-08662, and 46-03582**

[Rezone – Residential to Industrial]

Mr. Dowling stated there appeared to be 10 parcels and were attached to some previous parcels we had rezoned in that area and is Council initiated in conjunction with the Administration. He had a couple questions on the ordinance; one being on the parcel with the difference between the owner of the land and the mineral rights below it. It has been a long time since he has seen one of those. Ms. Whipkey responded she agreed from looking at it that the mineral rights were going to someone other than the land owner. Mr. Gainer inquired on what that would have to do with rezoning the land. Mr. Dowling responded he did not believe the mineral rights had anything to do with the

land rezoning and Mr. Gainer concurred. What was throwing him off and it was actually the R3-2020 application with Ord. 125-2019 as it comes up with another parcel number (46-07426) when he plugs in 46-02907. It comes up as belonging to Mr. Soltis, who is here tonight, but the 7426 number seems to fit better with the other parcels in R2-2020 in the same area. Mr. Dowling asked Council who actually initiated this and Ms. Whipkey responded it was actually brought by the property owners. Mr. Dowling commented he believed at least one of the owners had come in and asked to be included on the last one and he is guessing that is what caused or initiated this to move forward. Mr. Dowling asked if there were any questions or concerns.

Mr. Soltis, the owner of the mineral/numbered parcel, stated he believed that was the original number for the three parcels we own. The woman he bought it from had it separated it into three parcels. Schreiner had come in and tried to claim the mineral rights even though he had abandoned it years ago. So they had to go through the process and now we do control the mineral rights to that property. Mr. Dowling thanked him and stated one of the parcels also says PPG and Mr. Soltis responded that PPG still retains the mineral rights. Mr. Gainer asked if the owners could retain the mineral rights if they sold it and it was decided they could retain or sell them with it.

Mr. Braman returned to the room and Mr. Dowling explained to him the confusion on the next application and how it comes up another number on the County site; 46-02907 shows up as 46-07426 being the parcel number. So we are wondering if one is for mineral rights and one is surface land.

Mr. Braman stated he would have to actually look, but that made sense to him if there were two different ones there. The old parcel number could still be there.

Mr. Dowling stated he would suggest that Administration or Council look at this.

Mr. Soltis shared that the parcel number 46-08001 or 46-08002 from R2-2020 used to be one number that they are seeing the mineral rights on. The prior owner had separated them out to sell them and that's when they got the new numbers and the mineral rights came up separately because of the guy that had drilled the well. For some reason Summit County won't take that off of there even though it has been abandoned as they researched.

Mr. Braman stated that made sense as long as both numbers were there. Mr. Gainer added the same thing is happening with the parcels the City had purchased and have now resold with new numbers.

The problems with the Summit County GIS web site were briefly discussed as the information there varies daily which makes researching difficult.

Mr. Dowling asked if anyone else had any other questions or comments on application R2-2020. Mr. Dowling added it would appear to me that the residents supported and initiated some of this so it was just a matter of Council doing the form.

Mr. Conklin made a motion to approve PC Application R2-2020 rezoning from R-1 to I-1 and Ms. Stimac seconded.

ROLL CALL: Mr. Conklin -Yes; Ms. Stimac-Yes; Mr. Dowling-Yes; Mr. Peterson-Yes
Motion 4-0...Approved

Mr. Dowling stated this would go back to Council for their action. Mr. Dowling asked Council if they had three readings on this and Ms. Whipkey stated we pushed it through to get it to Planning. Mr. Gainer added Council passed it November 20th 6-0.

Council initiated Zone Change R3-2020
Rezone R3-RPC to I-1
Ordinance No. 125-2019
PPN # – 46-02907
[Rezone – Residential to Industrial]

Mr. Dowling stated this is the one we were talking about and he had went back and looked at it. It is interesting as the GIS zoning map 46-07426 is actually mineral rights and says it is owned by Schreiner Oil & Gas; the GIS doesn't show the 46-02907, which is actually the land and instead shows the mineral rights below the land. It is confusing and asked if there were any questions on the application.

Mr. Conklin asked if there was a house on it. Who has the mile long driveway that he believed was on the other parcels and not this one?

It was decided the house was on the next parcel, but the owner was here.

Mr. Conklin made a motion to approve PC Application R3-2020 rezoning from residential to industrial and Ms. Stimac seconded.

ROLL CALL: Mr. Conklin -Yes; Ms. Stimac-Yes; Mr. Dowling-Yes; Mr. Peterson-Yes
Motion 4-0...Approved

Mr. Dowling stated this would go back to Council for their action.

IV. CONSIDERATION OF MINUTES: None

*They will be available at the next meeting.

V. ADJOURNMENT:

It was discussed it would likely be thirty days before something new came forward. Mr. Dowling stated he would like to come in and view the plans before it came to Planning as it made it easier. Mr.

Dowling stated he had taken another term and did not know who else was coming forward so the next meeting would likely be an organizational one for Chair and Vice Chair. With no further business before the commission, Chairman Dowling announced the meeting adjourned at 6:27 PM.



Planning Commission Chair/
Vice-Chair

5/5/20
Date



Planning Commission Vice-Chair/
Member

*** ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF BOARDS ***