

# 2020 ANNUAL REPORT

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*Planning &*  
**ZONING DEPT**  
BOARDMAN TOWNSHIP

330.726.4181

[www.BoardmanTwp.com/Zoning](http://www.BoardmanTwp.com/Zoning)

8299 Market Street  
Boardman, Ohio 44512



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# A Letter from the Director

To our residents, stakeholders, and community,

As I write this, we remain in the midst of a global pandemic. The spread of COVID-19 has brought swift and sweeping changes to how we communicate, how government functions, and how we continue to assure quality of life in our community.

I am pleased to report that over the last twelve months, the Department has risen to every challenge thrown at it. Our forward-thinking digital-first policy has allowed our employees to work remotely as needed, and ensured continuity when the Government Center was first closed to the public in March of this year.

Our early adoption of OpenGov (formerly ViewPoint) as a cloud-based software system has ensured that residents have open and transparent access to our permitting, rental registration, and code enforcement system no matter where they are in the world. During 2020 we also integrated applications to our Zoning Commission, Board of Zoning Appeals, and Architectural Review Board into the system.

During 2019 and 2020, we spent a considerable amount of time working with Wendy Moeller, FAICP, of Compass Point Planning in Cincinnati, Ohio, to re-write our outdated zoning code. We can now proudly say that our current zoning code (effective January 1, 2021) sets the standard for urban development in our region and will help build a more sustainable, stronger, and better Boardman.

As we look forward to 2021, we have a variety of exciting projects in the pipeline, including updating our department strategic plan and the joint bus rapid transit study along Market Street, which will be conducted alongside the City of Youngstown and the Western Reserve Transit Authority. We also look forward to continuing to work with communities across the Mahoning Valley through the Healthy Community Partnership, and other endeavors.

Be safe and be well,



Krista Beniston, AICP

Director

Department of Planning & Zoning

# Department Overview

The Department of Planning and Zoning was first established in 1948 by the Board of Trustees to enforce the township's zoning code. Since 1948 the department's duties have grown to include the Property Maintenance Program, added in 1999, and the Rental Registration Program, added in 2018. The department strives for efficiency, professionalism, and to assure quality of life in Boardman Township.

## Department Staff

The Boardman Township Department of Planning and Zoning consists of 6 full-time staff members, operating zoning permits, planning projects, property maintenance program, rental registration program, and three different boards and commissions.

Tricia D'Avignon, Assistant Director, earned her American Institute of Certified Planners (AICP) certification through the American Planning Association, the standard for urban planning professionals.

Krista Beniston, Beth Duzzny, and Shaun Heffner participated in the Property Maintenance and Housing Inspector 3-day training through the International Code Council (ICC).

Krista Beniston, AICP	Director
Tricia D'Avignon, AICP-candidate	Assistant Director
Julie Pitzer	Secretary
Beth Duzzny	Property Maintenance Program Coordinator
Shaun Heffner	Property Enforcement Officer
Lukas Darling	Property Enforcement Officer

## OpenGov Software

2020 was the first full year that the Department used the OpenGov software system (formerly ViewPoint). The use of a cloud-based software system for permitting, code enforcement, and rental registration was first disclosed in the 2017 Strategic Action Plan as a long-term goal for the department. The new software system allows residents to create user profiles, apply and renew permits, submit code enforcement complaints, comment on cases, upload permit documents, and pay for permits and registrations online via credit card or e-check. While the software system was in place before the pandemic began, it proved crucial in ensuring continued service throughout the pandemic.

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# Zoning Boards

## Zoning Commission

The Zoning Commission is the body charged with governing and administering the Zoning Resolution and Zoning Map. This body reviews proposed zone changes, zoning amendments, and all Planned Unit Development (PUD) applications. The Zoning Commission acts in accordance with ORC 519.04-05, and section 2.03(B) of the Boardman Township Zoning Resolution. The Zoning Commission is made up of 6 residents, 5 board members and 1 alternate.

For most of 2020 the Board hosted meetings remotely via Cisco WebEx. The Board reviewed 7 plans during the 2020 year, held across 6 meetings. A list of all cases is in the Appendix.

Peter W. Lymber	Chair
Frank Centofanti	Vice Chair
Nancy Terlesky	Resident
Joseph S Ohr	Resident
John Burgan	Realtor
Michael Fagan (Alternate)	Architect

## Board of Zoning Appeals

The Board of Zoning Appeals hears appeals cases related to administrative decisions made by the Director, as well as decisions on conditional uses and variances from the codified ordinance. The Board of Zoning Appeals acts in accordance with ORC 519.13-14, and section 2.03(D) of the Boardman Township Zoning Resolution. The board is made of up 6 residents, 5 members and 2 alternates.

For most of 2020 the Board hosted meetings remotely via Cisco WebX. The Board reviewed 45 applications during the 2020 year, held across 12 meetings. A list of all cases is in the Appendix.

John Shultz, Esq.	Chair/Attorney
Patricia Brozik	Resident
Marilyn Scheetz	Vice Chair
Kenneth Tirpack	Resident
Brian Racz	Resident
Bill Harris (Alternate)	Resident
Anthony Buchmann (Alternate)	Resident

## Architectural Review Board

The Architectural Review Board is the resident board charged with upholding the Township's landscaping and architectural standards. This board operates in compliance with ORC 519.171 and sections 2.03(C) and 3.05 of the Boardman Township Zoning Resolution. The board is made of up 5 residents. This board makes recommendations regarding site plans to the Board of Zoning Appeals for variance cases, approves site plans, landscaping/planting plans, and building façade designs for all projects within the Township.

For most of 2020 the Board hosted meetings remotely via Cisco WebEx. The Board reviewed 11 project plans during the 2020 year held across 7 meetings.

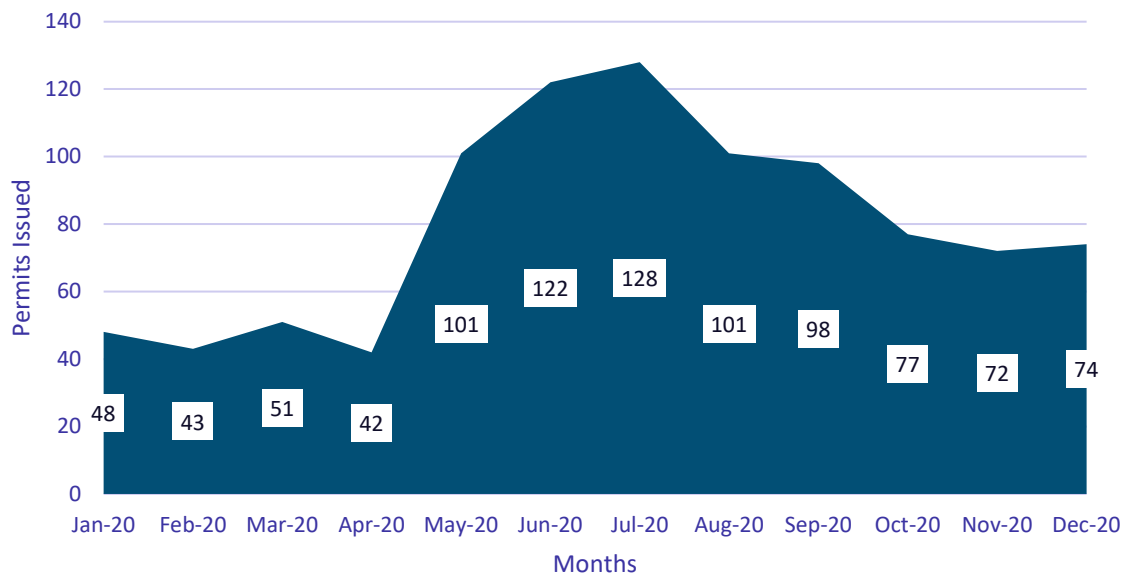
Michael Fagan	Chair/Architect
Courtney Boyle, PE	Vice Chair/Engineer
Edwin Beach	Resident/Engineer
Margaret Wellington	Resident/Gardener
Kedar Bhide	Resident/Engineer

Record #	Project Name	Address	Type of Project
ARB-20-1	Briarfield Place	8400 Market St.	New Commercial Development
ARB-20-2	Boardman Speedway	708 Boardman Canfield Rd.	Redevelopment New Construction
ARB-20-3	Debartolo Commons - Southern Park Mall	7401 Market St.	Redevelopment
ARB-20-4	West Blvd Elementary Parking Expansion	6125 West Blvd.	Redevelopment
ARB-20-5	Plaza - Former Ohio Carpet	4300 Market St.	Reoccupancy of existing building
ARB-20-6	Plaza - Former Toys R Us	317 Boardman Poland Rd.	Reoccupancy of existing building
ARB-20-7	Maroun Motors Parking Addition	7945 Southern Blvd.	Reoccupancy of existing building
ARB-20-8	Dunkin' Donuts - Former Chemical Bank	3900 Market St.	Redevelopment New Construction
ARB-20-9	Boardman Center Plaza	7334 Market St.	Reoccupancy of existing building
ARB-20-10	Plaza - Former Payless/Fed EX	48 Boardman Poland Rd.	Reoccupancy of existing building
ARB-20-11	Dairy Queen	6532 Market St.	Redevelopment New Construction

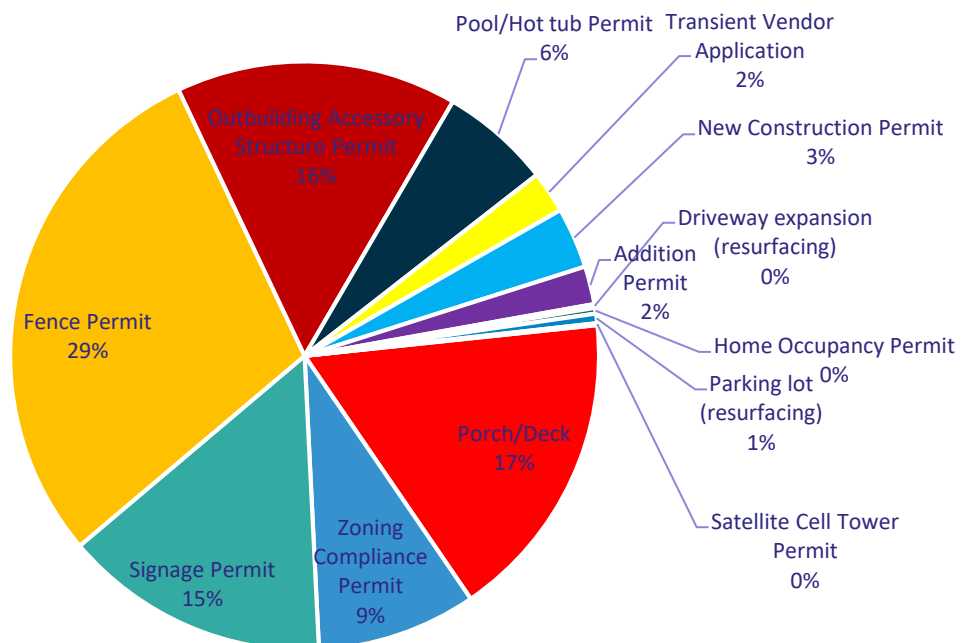
# Zoning Permits

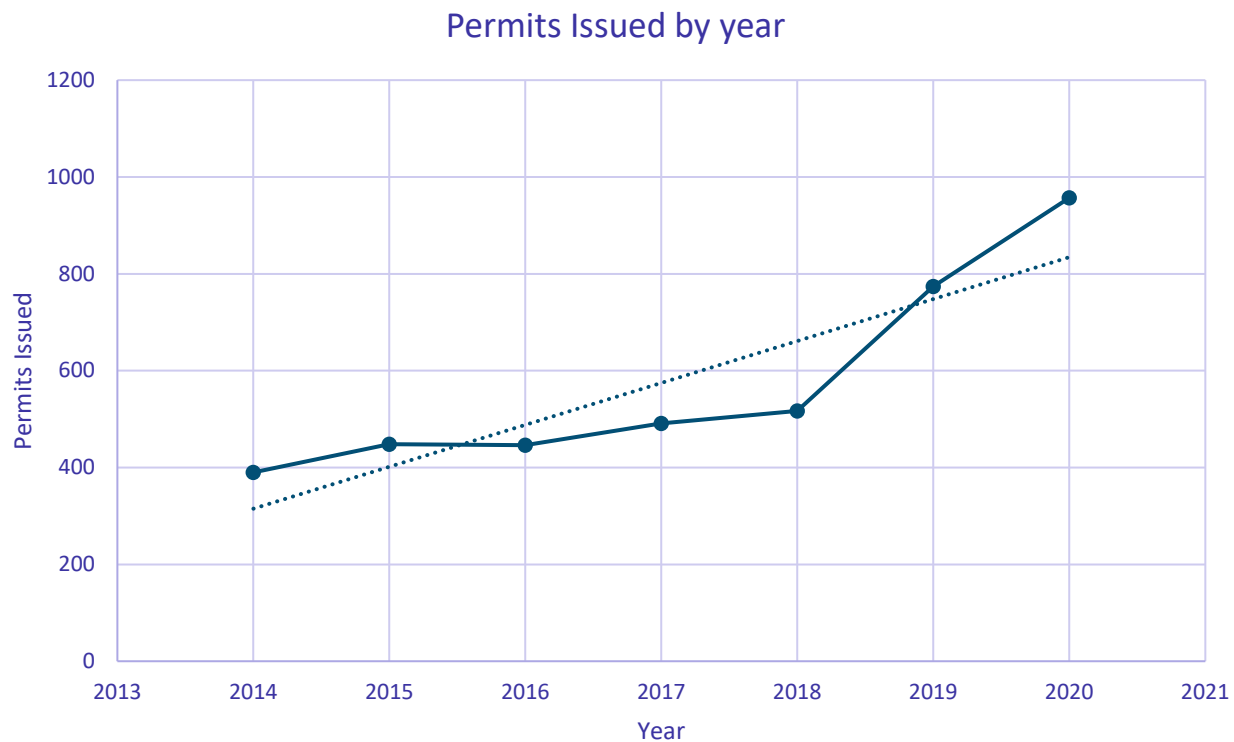
The Department issued 957 permits during 2020. Total permit fees collected were **\$235,084.86**. 39% of applications were submitted through the OpenGov portal, with the remaining 61% being submitted via paper form. The department received 1,009 applications.

Permits Issued per month



## Permits by Type

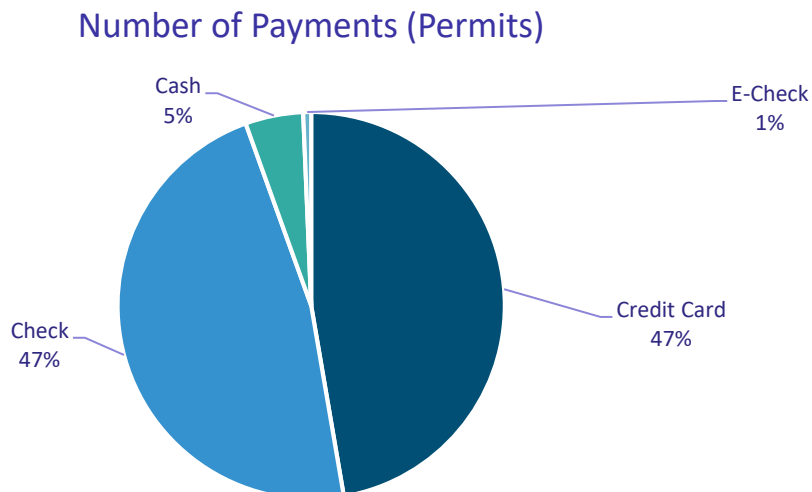




Since 2014, permits issued by the department have grown 145% from 390 in 2014 to 957 permits in 2020. This increased growth is expected to stabilize over time, similar to how it stabilized between 2014 and 2016.

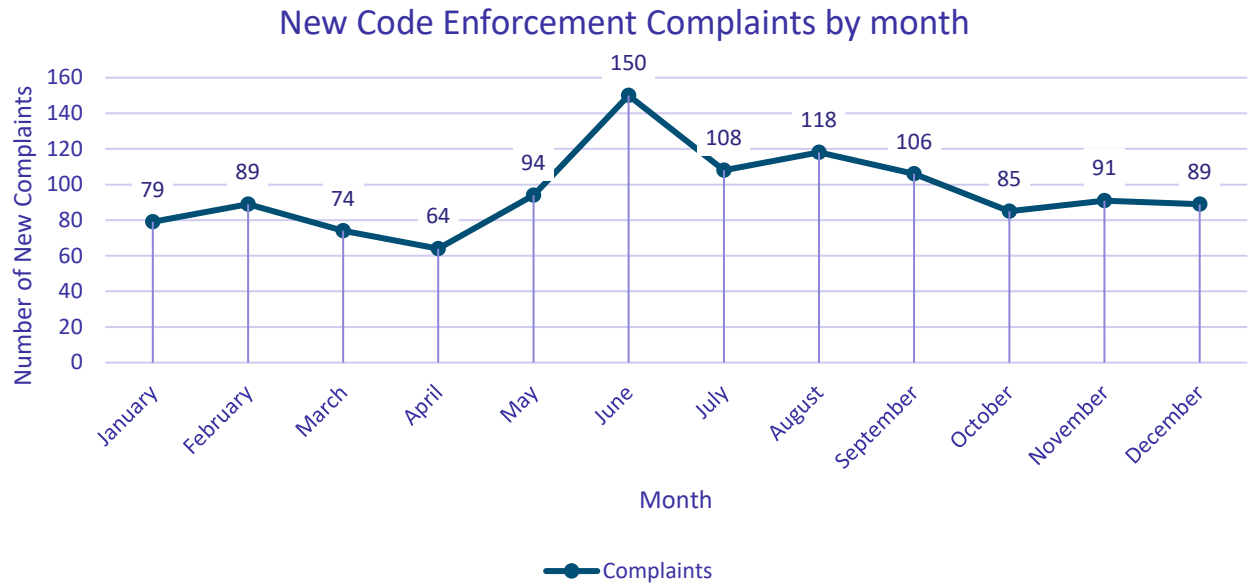
## Payment Methods

2020 was the first full year where credit card payments were available through OpenGov, providing residents and applicants with direct access to the system.



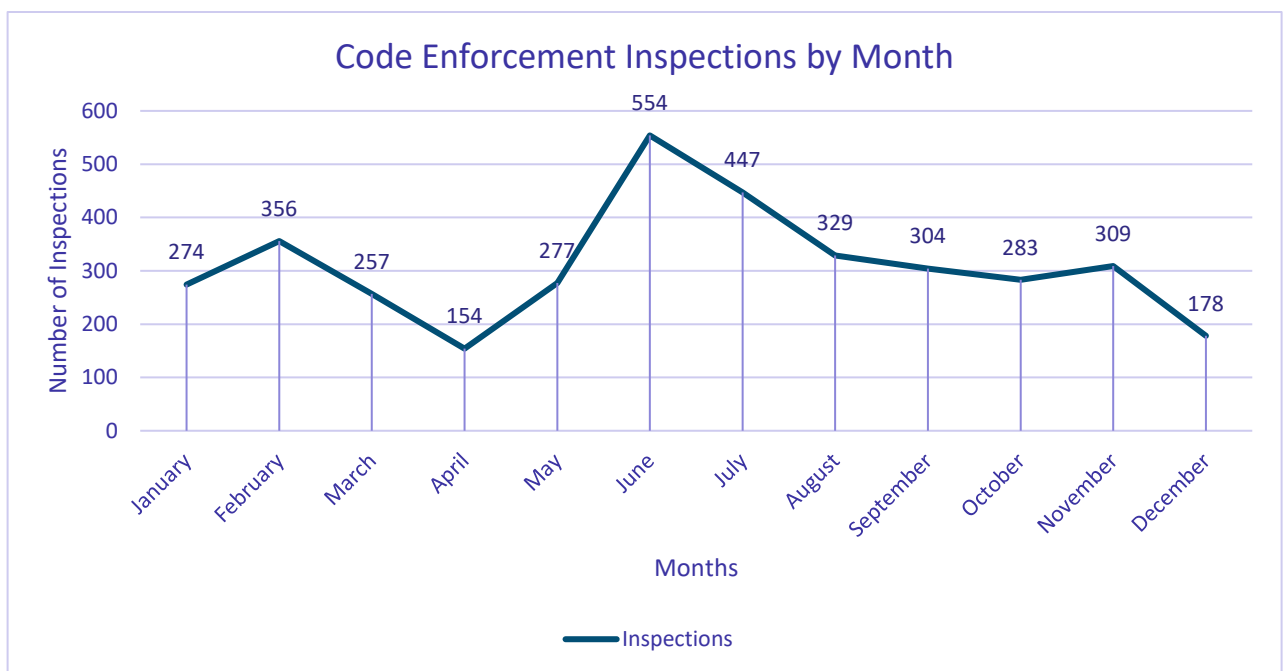
# Property Maintenance Program

Of the 1,148 code cases opened in 2020, 23 (2.05%) were directly filed into OpenGov by the complainant. A vast majority of Property Maintenance complaints still come in via phone call or are viewed by inspectors in the field.



## Code Enforcement Inspections

In 2020, there were 3,722 inspections conducted. It should be noted that Zoning Code and Property Maintenance Resolution inspections are counted separately by OpenGov.



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New Code Enforcement Complaints	1,147
Code Enforcement Inspections Conducted	3,722
Nuisance Abatements Conducted	27
Nuisance Abatement Total Assessed to owners	\$7,130.00

## Property Maintenance Court Cases

Code Enforcement Court Cases Filed	22
Code Enforcement Cases Dismissed	12
Court Hearings Held	3
Court Cases awaiting hearings	6
Total assessments	\$790.00

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## Neighborhood Improvements

These photos demonstrate the impact of the Property Maintenance Program in our neighborhoods.



*Before, 50 Indianola*



*After, 50 Indianola*



*Before, 67 Meadowbrook*



*After Demolition, 67 Meadowbrook*



*Before, 86 McArthur*



*After, 86 McArthur*



Before, 147 Shadyside



After, 147 Shadyside



Before, 172 Rockdale



After, 172 Rockdale



Before, 199 Melrose



After, 199 Melrose



Before, 184 Mathews



After, 184 Mathews



Before, 4038 Sunset



After, 4038 Sunset



Before, 5025 Brookwood



After Demolition, 5025 Brookwood

# Rental Registration Program

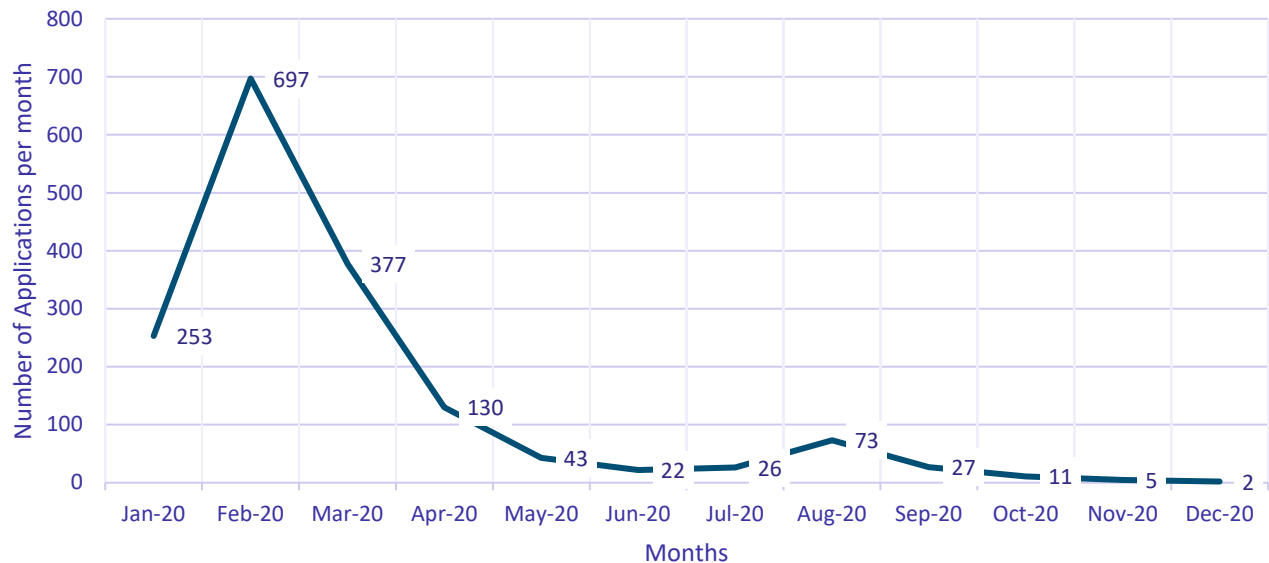
## Overview

Boardman Township's Rental Registration Program is one of the many tools that the township uses to assure quality of life and property maintenance standards. The system is set up to ensure that each rental unit meets the basic standards for habitation as set out in Home Rule Resolution 18-03. This was the first year that the program had a full-time dedicated staff member, who was able to manage operations, schedule inspections, and work with tenants and property owners.

95% of the properties identified as potential rental properties have been accounted for. Properties are considered "accounted for" when we receive either a rental registration application or a notarized letter stating why the property owner believes it should not be considered a rental. 16% of rental registration applications were submitted by users through the online portal, with the remaining 84% being added to the portal by department staff.

Certificates of Registration Issued	1,664
Interior Inspections Conducted	109
Exterior/Code Enforcement Inspections Conducted	1,038
Revenue Collected in registration fees	\$182,245.00

Frequency of Rental Registration Applications - 2020



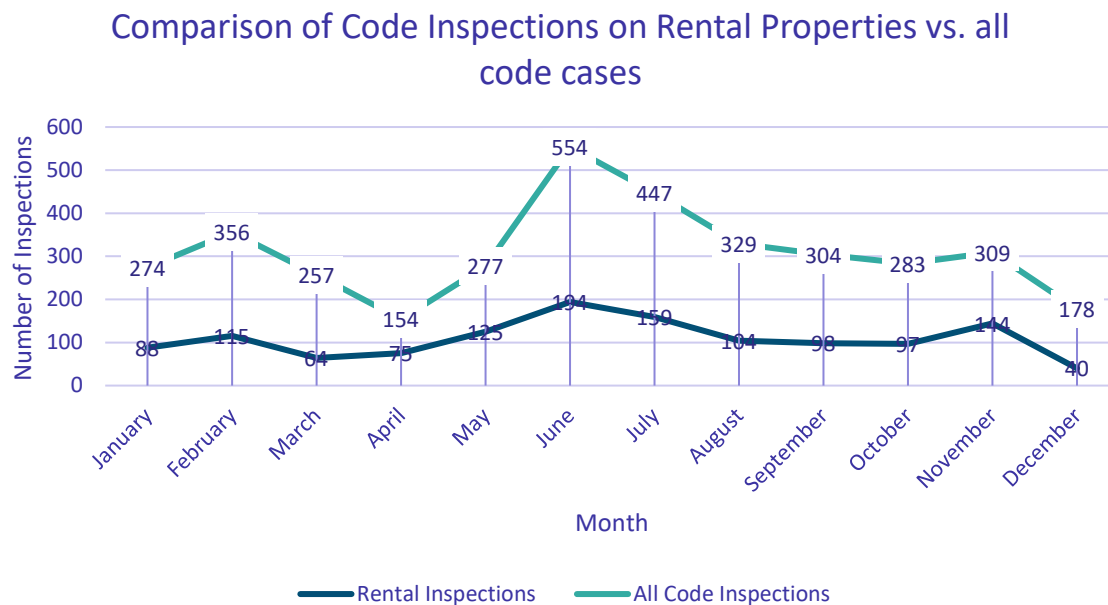
## Inspections

Between January and mid-March 2020, the Rental Registration program conducted 109 inspections, 50 interior and 53 exterior. These inspections were the first widespread use of the rental ranking system since its development in late 2019. The system uses three tiers, Tier I (43-50 points), Tier II (35-42 points), and Tier III (0-34 points) to determine the quality of the property and how often it should be inspected in the future. Only the items/issues that are directly controlled by the property owner are counted towards their ranking. The system is set up so the inspector must see and document an issue to take away points. Property rankings are seen as a point of pride for many property owners, encouraging them to keep their buildings up to standards.

After March 11, 2020, inspections were cancelled due to the COVID-19 pandemic, which prevented this program from reaching peak capacity. Post-COVID, the program is prepared to start interior inspections again.

Since the pandemic started, the Rental Program was transitioned to focus on exterior issues through our Code Enforcement Program, which allows us to continue to work with property owners and managers to ensure that housing is kept to a minimum standard. During 2020, 1,303 exterior and code enforcement inspections were conducted as part of our Rental Registration Program. Of the 3,861 Code Enforcement inspections conducted in 2020, 26% were on registered rental properties.

Code Enforcement Cases on Registered Rentals	257
Code Enforcement Inspections conducted	1,303



## Court Cases & Citations

Citations are one of the means that the Rental Registration Program has to ensure that all rental properties are registered. Currently, the process occurs after the registration deadline (March 1<sup>st</sup>, every year) and after a final notice has been sent to property owners. After citations are typed, they are delivered to individual properties with the aid of the Boardman Police Department. After a 14 day waiting period, they are filed with Mahoning County Court #2 – Boardman. Our citations were up considerably from 2019, the first year that Rental Registration citations were issued.

*Figure 1, Data comparing 2019 and 2020 Rental Citations*

	2020	2019
Citations prepared	49	28
Citations served	26	28
Properties registered after citations	24	22
Citations filed with Mahoning County Court #2 – Boardman	20	0
Cases dismissed after registration	2	n/a
Pending court cases	18	0

## Inspector

2020 was the first year that the Rental Registration Program had a full-time staff member; Lukas Darling was transitioned to a full-time Property Enforcement Officer post on December 2019, just before the first round of 2020 notices were sent out. Lukas has a Bachelor of General Studies in History and a Certificate in Historic Preservation from Youngstown State University. He is currently working towards a Master of Public Administration from Arkansas State University. He received his ICC/AACE Property Maintenance and Housing Inspector certification in August 2019.

# High Grass Program

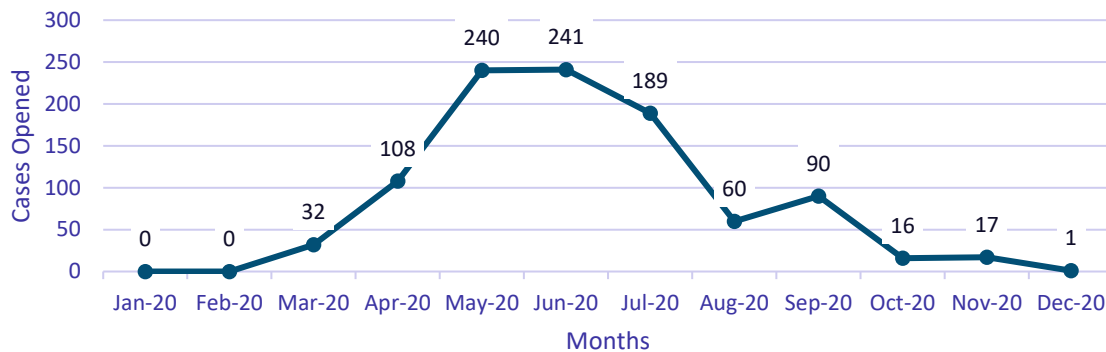
The high grass program for 2020 ran from April to December 2020, with a team of two inspectors conducting inspections on Monday of each week. High grass cases had a 66% passing rate after notices were issued. Properties held by the Boardman Township Land Bank were not included in high grass inspections. The amount of high grass cases cut is less than the total amount of failed inspections because the grass was not at least 10 inches tall when the contractor went out.

Number of high grass cases	994
Number of high grass inspections	1,145
Number of failed inspections	393 (34%)
Number of passed inspections	778 (66%)

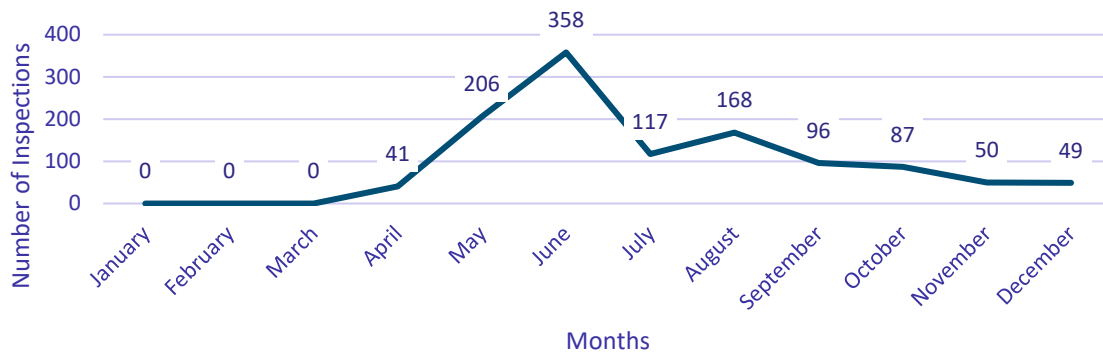
Land Bank property cuts	131
High Grass case cuts	293
Total High Grass cuts in 2020	424

Total cost for High Grass Complaints	\$50,575
Total cost for Land Bank maintenance	\$3,930
Total cost for Land Bank & Complaints	\$54,505

High Grass cases by month



2020 High Grass Inspections



# Zoning Resolution Update

From 2019 to 2020 the department worked alongside Wendy Moeller, FAICP of Compass Point Planning in Cincinnati, Ohio to update our Zoning Resolution. The process, which took just over a year to complete, resulted in the code being completely re-written. New zones were added, including Public and Institutional (PI), Planned Unit Development (PUD), North Market Business District (NMB), and we now have three different single-family residential zones to correspond to varying lot sizes (see Figure 1).

Table 4.05-1 from page 24 of the Zoning Resolution.

Table 4.05-1: District Transition Table	
District Name and Designation Prior to January 1, 2021	District Name and Designation in this Resolution as of January 1, 2021
<b>Residential Districts</b>	
R-1: Single-Family Residential District and R-2: Single-Family Residential District	R-1: Single-Family Residential District and
	R-2: Single-Family Residential District
	R-1C: Single-Family Residential District (5,000 Square Feet)
R-1A: Duplex District	R-2: Attached Residential District
R-3: Single-Family Residential District	R-3: Multi-Family Residential District
<b>Nonresidential district</b>	
B: Business District	O: Office District
C: Commercial District	GB: General Business District
	RB: Regional Business District
	NMB: North Market Business District
I: Industrial District	I: Industrial District
<b>Special District</b>	
AG: Agricultural District	AG: Agricultural District
District did not exist	PUD: Planned Unit Development District
District did not exist	PI: Public and Institutional District

## Stakeholders

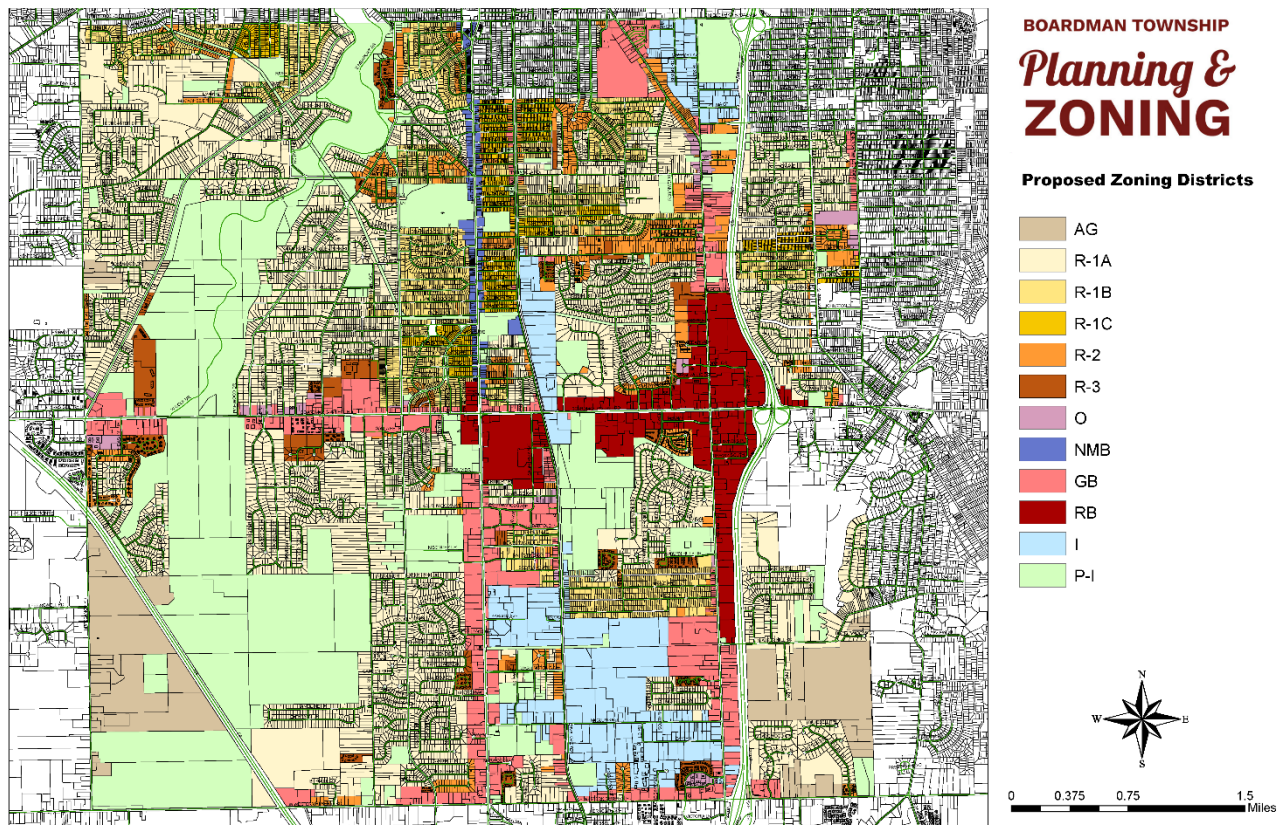
The Zoning Code stakeholders group consisted of thirteen residents and community stakeholders representing a wide variety of expertise, from engineers, property developers, architects, and attorneys. This group offered the department and Compass Point Planning advice and comments on draft codes. Those comments were then organized and allowed the zoning code to directly address the questions and concerns of the community.

Marilyn Sferra Kenner, PE, Road Superintendent  
John Schultz – Attorney, Board of Zoning Appeals  
Sarah Lowry – Healthy Community Partnership  
Courtney Boyle, PE – ECO Environmental Collaborative  
Nancy Terlesky – Zoning Commission  
Grant Taylor – Eastgate Council of Governments  
Mike Fagan – Architect, Zoning Commission, Architecture  
Review Board

John Burgan – Realtor, Zoning Commission  
Frank Centofanti – Zoning Commission  
Rob Rupeka – EDM Management Inc.  
Peter Lymber – Zoning Commission  
Gary O’Nesti – LRC Realty  
Brian Gabbert – Washington Prime Group

## Final Product

The Board of Trustees adopted the final edition of the Zoning Resolution on November, 23, 2020 (Resolution 20-09-14-09) and the resolution went into effect on January 1, 2021. This document represents a dramatic shift in Zoning, allowing the department more flexibility while offering residents and landowners more options to develop their properties. This resolution also formally changed the name and mission of the Site Plan Review Board to the Architectural Review Board, expanding their powers to include architectural style. The resolution is now fully in compliance with all sections of the Ohio Revised Code and current legal precedent.



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# Grant Funding

During 2020, the department worked on a variety of projects, including the Records Digitization Project, conducted in collaboration with the Ohio Historical Records Advisory Board (OHRAB) and the ABC Water and Stormwater District. The department also completed work on a 2018 grant from the Healthy Community Partnership that installed creative crosswalks at two intersections near schools in the township and ADA complaint curb ramps near Robinwood Elementary.

Healthy Community Partnership	\$7,892.40
Ohio Historical Records Advisory Board	\$3,837
ABC Water and Stormwater District	\$4,000
<b>Total Grant Funding Received</b>	<b>\$15,729.40</b>

## Healthy Community Partnership Funding

In December 2018, the Healthy Community Partnership granted Boardman Township \$7,892.40 to install three creative crosswalks in the township. Raise awareness about pedestrian safety and pedestrian safety infrastructure. This is especially important in Boardman as so many people are injured or killed by cars while trying to cross the road. This strategy increases visibility of pedestrians to motorists, which results in slowed vehicular traffic and increased feeling of pedestrian safety. This combination of slowed traffic and increased pedestrian visibility is especially important in areas where there are children walking and biking like near schools, libraries, parks, etc. This project also stated to build an identity for the areas where these public functional art projects were installed. They provide a landmark for people even if only temporarily and a heightened awareness of that particular pedestrian crossing.

Original intended location was along Glenwood Ave., which due to the nature of it being a county road they were unwilling to let us install the creative crosswalks. However, Glenwood is currently undergoing a road diet study that should lead to increased safety in the corridor.

Safe Routes to School plans, which include a variety of strategies to make it safer for students to walk or bike to school. Enhancing existing crosswalks and/or adding additional crosswalks are included as essential improvements to make it safer for children to walk or bike to school.

For this project rather than working with volunteers due to COVID-19, as originally planned, and wanting to respect distancing guidelines we decided to work with local artists to implement their designs at the crossings. This increased diversity of the crosswalk designs as well and was well received overall by passersby.



Crosswalks at Stadium and Westview  
(Stadium Drive Elementary)



Crosswalk at Afton Ave  
(Robinwood Elementary School)

## Records Digitization Project

In March 2020 the Department of Planning and Zoning was awarded \$3,837 from the Ohio Historical Records Advisory Board under their Ohio Archives Grant Program. This funding was requested as part of the department's ongoing Digitization and Preservation of Zoning Department Records project.

Over the last several months, GBS Corporation (the chosen contractor) has scanned department records from 1955-1976 as part of the grant fulfillment, with permits from 2003-2012 (which were previously scanned) being re-boxed. 33 large boxes worth of permits are now readily available and more accessible than ever before. During this time, department staff were tasked with organizing, filing, and re-boxing all scanned permits. This grant cycle, a total of 73.92 cubic feet of documents

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were digitized and placed in stable storage. Each year consisted of anywhere from 300 to 800 permits, each consisting of multiple pages and occasionally large format architectural plans.

At the conclusion of this grant period, we have spent 179.5 hours labeling, filing both digital and hard copies, and preparing the physical copies for a life in acid-free archival folders and boxes. This is detailed in attachment 1. In total our complete in-kind match for the project was \$5,665.11, and cash match was \$13,800.00, a \$13,886.55 surplus over what was expected in our application (\$5,578.56). This includes the \$4,000 in funding provided by the ABC Water and Stormwater District and \$9,800 in an end of year surplus in the department budget that was reallocated to this scanning project to finish the other half of the boxes that GBS took during the initial pick up this summer.

Documents scanned in 2020	87,931
Large Format pages scanned in 2020	16,895
Cubic feet of records scanned	33
Amount spent on scanning in 2020	\$17,637

### **Project Impact**

During the 2020 grant period, 33 cubic feet of documents were scanned by GBS Corporation. Additionally, during this grant period, 72.6 cubic feet of documents were received, boxed, and properly stored, this includes 39.6 cubic feet of documents that were scanned as part of the 2019 grant period. Since the first grant period in 2019, 97 cubic feet of documents have been processed as part of this project. Additionally, the contractor provided 104,826 images were made during the scanning project this year. (Attachment 2)

Our staff and residents have already seen the benefit of this project, with staff seamlessly sharing permit records, appeals case proceedings without needing to locate physical boxes. This project has also greatly decreased our response time to public records requests from several days to same-day or next-day and has facilitated the easy sharing of data via email, without requiring that staff members locate and scan records as needed.

### **Conclusion**

The support from OHRAB and the ABC Water and Stormwater District and their desire to have access to these records has aided in our ability to move forward with saving additional records before they become damaged or lost permanently.

This grant brings our department one-step closer to the final goal of a digital-first environment for all planning and zoning operations. As we move forward, we are currently working with the GBS Corporation to complete the digitization of zoning permits from 1950-1976 half of which are still in their possession as funding run short this year, before moving to the proceedings from the Board of Zoning Appeals, which established legal changes to individual properties. We would especially like to

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thank the Ohio Historic Records Advisory Board for their confidence and support of our department and our special projects.