

ZONING COMMISSION SPECIAL MEETING August 23, 2016

Roll call taken at 7:07

Tom Weatherhead - Present; Mike Roese – Present; Mary Hamilton – Present; Chris Beavers – absent; Charlie Fisher – present; Ron Jahn - present

Rick Kulich called to order BZA at 7:10

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Rick Kulich – present; John Reidy –present; Angie Martin – present; Pearl Braskett – present; JoAnn Swisher – present; Don Lowry - present

22.04 Permitted uses. John Reidy had special handouts which compiled all permitted uses, accessory, residential and conditional from current zoning code including the O-R District. Kulich suggested the list under permitted was acceptable. Jahn suggested including public park because township owns it but Kulich and Reidy felt making it permitted would offer public playgrounds for every lot. Kulich noted deficiencies in definitions for lakes or ponds. Roese recommended to remove lakes and ponds as permitted use. McFarland noted not many lots would meet required area to put in a lake or pond. Reidy noted 29.06 addresses requirements

22.05 Hamilton asked how to address accessories on multi family. Requested to remove phrase “single family” and just refer to as dwelling. Reidy agreed to remove.

22.06 General agreement removing public parks, gasoline sales, equipment rental. Kulich asked if we want these types of businesses. McFarland noted difference of granting conditional use which ends with ownership change or rezoning to GC which remains permanent with the lot. Lowry asked why Brocius included as conditional use. Jahn asked impact of setbacks. McFarland noted various development requirements in GC related to distance from residential property. Lowry mentioned the 200 feet requirement in current code. Weatherhead suggested to remove equipment leasing. Lowry noted it is already covered in GC as a conditional use. Reidy reminded that any O-R lot has right to rezone to any other district in our current code.

Jahn asked if definitive answer from Trustees about the 200 acre lot should be considered. McFarland noted our current code in 29.04 addresses lots greater than 5 acres. Lowry argued developer could come in and build several residential lots because they are following the O-R district. McFarland noted 22.01 already addresses ability for lots to develop and only one dwelling could be built on an undeveloped lot even if it is 200 acres. Reidy argued developer could not build without applying for appropriate zoning for multiple lots. Reidy suggested multi-family should not be in conditional use. McFarland clarified that undeveloped lots who wish to be multi-family would need to rezone to R-2 or R-3 or MH-R. Reidy requested legal clarification that conditions before sale of property remain after sale of property unless of change of use.

22.07 No changes.

22.08 – Undeveloped lots who wish to remain in the O-R District may do so if they meet the development standards for that district. Otherwise they must meet applicable development standards and use for the district to which they want to change. McFarland shared current lot owner has adjacent undeveloped lot and wishes to build a house. Do we have to follow state requirements on setback from state right of way? Reidy suggested including sub note that lots along a State Route must comply with ORC setbacks. Requested McFarland researching smallest lot ability to build 1200 square foot home that meets proposed development standards.

McFarland noted development standards in 22.08 pertain to a residence and 29 refers to accessories which would include detached garage and reminded of handouts addressing applicable amendments in current zoning that would apply. McFarland also noted 22.04.A gives lot owner permission to build a home and if no development standards are in place, he would not know where to place the home.

Kulich asked if county engineer would have opinion on setbacks. McFarland noted county planning commission will have input which includes county engineer.

Asked Jim to inventory all undeveloped lots and finalize measurements for setbacks. Lowry noted development standards apply to residential dwellings that exist already as written in the draft.

No issues with parking, trash or signs. McFarland shared feedback from Pete Griggs regarding the parking feedback that our current resolution article 30 has no bearing in the O-R district and 22.08.B covers parking.

Have Special Meeting 20th of September to cover Development standards.

Roese moved to adjourn, Jahn 2nd. Vote: Weatherhead - yes; Roese – yes; Hamilton – yes; Fisher – yes; Jahn – yes. Motion carried. Meeting adjourned.

Reidy moved to adjourn, Braskett seconded. Kulich – yes; Reidy –yes; Martin – yes; Braskett – yes; Swisher – yes; Lowry – yes. Motion carried. Meeting adjourned.

Weatherhead brought regular meeting to order 8:47.

Roese moved to approve minutes of April 18, 2016. Hamilton seconded. Vote: Weatherhead - yes; Roese – yes; Hamilton – yes; Fisher – yes; Jahn – yes. Motion carried.

Fisher motioned to approve minutes of June 14, 2016. Roese seconded. Vote: Weatherhead - yes; Roese – yes; Hamilton – yes; Fisher – yes; Jahn – yes. Motion carried.

Hamilton motioned to approve minutes of July 19, 2016, Jahn seconded. Vote: Weatherhead - yes; Roese – yes; Hamilton – yes; Fisher – yes; Jahn – yes. Motion carried.

McFarland reviewed current zoning certificates and violations and answered questions. Noted Trustees request of McFarland to initiate application of appeal on Earl Borders PURD lot. Hamilton asked why resident wasn't filing appeal. McFarland noted possible mistake by township.