

1 BEFORE THE ALLEN TOWNSHIP ZONING COMMISSION

2 VAN BUREN, OHIO

3 - - -

4 In Re: Allen Township Zoning Commission

5 - - -

6 TRANSCRIPT OF PROCEEDINGS

7 - - -

8 Thursday, April 11, 2024

9 5:30 p.m.

10 Allen Township Center

11 12829 State Route 613

12 Van Buren, Ohio 45889

13 - - -

14 SUSAN L. COOTS, RPR

15 REGISTERED PROFESSIONAL REPORTER

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22 ANDERSON REPORTING SERVICES, INC.

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24 Columbus, Ohio 43221

 (614) 326-0177

1 APPEARANCES:

2 CINDY LAND, Attorney at Law
3 Hancock County Prosecuting Attorney's Office
4 514 South Main Street
5 Suite B
6 Findlay, Ohio 45840
7 (419) 424-7089
8 lmland@co.hancock.oh.us

9 On behalf of the Allen Township
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson
13 Darrin Rehus, Vice Chairperson
14 Deb Stacy, Secretary
15 Dave Evans
16 Clara Pargeon

17 - - -

1 THURSDAY EVENING SESSION
2 April 11, 2024
3 5:30 p.m.

4 - - -

5 P R O C E E D I N G S

6 - - -

7 BE IT REMEMBERED THAT, on the 11th day of
8 April, 2024, this cause came on for hearing before the
9 Allen Township Zoning Commission. And the parties
10 appearing in person and/or by counsel, as hereinafter
11 set forth, the following proceedings were had:

12 - - -

13 CHAIRPERSON TIMMERMAN: I've got 5:30, so
14 I'll call the meeting to order.

15 Start with roll call.

16 Dave Evans.

17 MR. EVANS: Here.

18 CHAIRPERSON TIMMERMAN: Clara Pargeon.

19 MS. PARGEON: Here.

20 CHAIRPERSON TIMMERMAN: Darrin Rehus.

21 VICE CHAIRPERSON REHUS: Here.

22 CHAIRPERSON TIMMERMAN: Deb Stacy.

23 SECRETARY STACY: Here.

24 CHAIRPERSON TIMMERMAN: John Timmerman,
here.

1 Do you want to read the minutes?

2 SECRETARY STACY: Yeah. I can read the
3 minutes.

4 Allen Township Zoning Commission, April 9th,
5 2024.

6 Attendance: Dave Evans, Clara Pargeon,
7 Darrin Rehus, Deb Stacy, John Timmerman.

8 Motion 24-04-5M. John Timmerman moved to
9 adopt the Resolution presented by Cindy Land,
10 Assistant County Prosecutor, entitled Adoption of a
11 Rule for Notification of Special and Regular Meetings
12 to the Public and News Media.

13 The signed original is attached to this set
14 of minutes.

15 Dave Evans seconded the motion. Motion
16 passed.

17 There was an incorrect time of 5:30 p.m.
18 posted in The Courier in the Public Meetings Section,
19 and the Legal Notices Section, as well as on the
20 website, allentownship.com, for the Allen Township
21 Zoning Commission. Therefore, the Allen Township
22 Zoning Commission will meet at 5:30 p.m. on April 9th,
23 2024.

24 The Allen Township Zoning Commission

1 meetings scheduled for April 11th, 2024, will also
2 meet at 5:30 p.m., as there is insufficient time to
3 correct the time in the above-stated notices.

4 Starting with April 15th, 2024, Allen
5 Township Zoning Commission meetings will start at
6 5:00 p.m. 5:00 p.m. will also be the starting time
7 for Allen Township Zoning Commission Meetings
8 scheduled for April 18th, April 22nd, April 25th,
9 April 29, and May 2nd.

10 Cindy Land informed the Allen Township
11 Zoning Commission that a records request had been
12 filed. She inquired if anyone had communications
13 between other Allen Township Zoning Commission members
14 or with the Allen Township Trustees. No one on the
15 Allen Township Zoning Commission had any communication
16 to report.

17 Ms. Land also requested that each set of
18 meeting minutes be signed by the Chairman of the Allen
19 Township Zoning Commission and given to her for
20 record.

21 The Allen Township Zoning Commission
22 thoroughly reviewed the information as contained in
23 the Exhibit A of the Allen Township, Hancock County,
24 Ohio, Proposed Zoning Resolution.

1 Ms. Land requested that the Allen Township
2 Zoning Commission carefully review the information
3 contained in Article III, Zoning Districts and Map for
4 the April 11th meeting.

5 Motion 24-04-6M. Clara Pargeon moved to
6 adjourn the meeting. Dave Evans seconded the motion.
7 Motion passed.

8 So if we could have a motion to approve the
9 meeting minutes from April 9th.

10 MS. PARGEON: Clara makes a motion to
11 approve the meeting minutes.

12 VICE CHAIRPERSON REHUS: I'll second.

13 SECRETARY STACY: That's Darrin.

14 Everyone agree, say "Aye."

15 (Vote taken.)

16 SECRETARY STACY: Motion passed.

17 MS. LAND: I have a couple quick things for
18 housekeeping.

19 SECRETARY STACY: Sure.

20 MS. LAND: I have for each of you a copy of
21 the records request answer that we sent out. I sent
22 it on my letterhead with my signature for your --
23 well, that way, we didn't have to wait for you guys to
24 sign it, we could get it out quicker. You keep these.

1 SECRETARY STACY: Okay.

2 MS. LAND: Keep all of the minutes. I want
3 copies eventually just to have them.

4 SECRETARY STACY: Okay.

5 MS. LAND: It was pretty straightforward.
6 It requested some things that you just don't have yet.
7 So, of course, the answers were, We don't maintain
8 these records and the ones that you do have, we've
9 provided. So it should be fine.

10 SECRETARY STACY: Okay.

11 MS. LAND: That's just for your records. If
12 we have any more, we'll go through the same process.

13 The attorney's office who represents
14 One Energy contacted us and asked for these public
15 records. They also asked that any time you guys have
16 a meeting that they get notice, so Mark Schimmoeller
17 is going about sending the notice to make sure they
18 know when all of your meetings are so they have the
19 opportunity to attend.

20 They will send the request for public
21 records to Mark; he'll forward them to me, and I'll
22 answer them. Hopefully, I will be able to bring them
23 and discuss with you guys, like I did the last time,
24 to get the information so that I know that you guys

1 are aware of what we're answering.

2 And the other thing is I don't know if any
3 of you look at theeallen.com website. They put your
4 meetings on, which is fine. They are public, and this
5 way, the public can see it. That's fine.

6 However, during that first meeting, it was
7 pretty noisy, and the recording, apparently, wasn't to
8 their standards. However, once he posted it -- I
9 don't know who posted it. I'm presuming it's the
10 person who told us earlier he was doing this, so
11 that's why I say "he," but they made some pretty
12 almost slanderous accusations against you guys about
13 that meeting.

14 They said -- it's an editorial commentary.
15 You can call something an editorial commentary, but if
16 it's slanderous, it's still slanderous. just so you
17 know.

18 But, "eallen has no idea what happened at
19 the first zoning commission meeting. We were
20 physically present. We were recording. We were
21 10 feet away, but the newly appointed zoning
22 commission members employed tactics making it nearly
23 impossible to discern what was said. The commission
24 clearly coordinated with supporters in the room to

1 block the camera to keep the room at nearly
2 80 decibels for an hour so they could hide their
3 deliberations from the public."

4 So my question that I have to ask you and
5 that I want to put on the record that you should
6 probably end up putting in your minutes: Did any of
7 you coordinate with any supporters --

8 SECRETARY STACY: No.

9 MS. LAND: -- to try to disrupt that meeting
10 and make sure that it could not be heard?

11 MR. EVANS: No.

12 SECRETARY STACY: No. I don't control what
13 other people do and say.

14 MS. PARGEON: We were all listening.

15 MS. LAND: Sometimes you wish you could, but
16 you can't. I just wanted to make sure that it was out
17 there, responded to, and done.

18 Now we can move on with the work that you're
19 supposed to be doing here.

20 CHAIRPERSON TIMMERMAN: All right. So we're
21 starting with Article 3, Zoning Districts and Maps.

22 MS. LAND: Right.

23 CHAIRPERSON TIMMERMAN: Did we have -- were
24 you able to get maps? Where are we at on that?

1 MS. LAND: I called Regional Planning. I
2 got ahold of them this afternoon about 2:30. Their
3 response was, "Oh, yeah. We're supposed to be coming
4 to those." They will start coming on Tuesday, and
5 they plan to bring a blank map that you guys can
6 doodle on when you're deciding what to do, once you
7 start drawing in where you want to have your zoning
8 districts identified.

9 They are going to bring a Current Use Map,
10 which is what things -- where things actually are,
11 what the uses are in the township now, and, then,
12 also, the last map that was anticipated from 2002.
13 They are bringing them big enough for everybody to
14 see.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MS. LAND: If you all need to, I can call
17 them and ask them if you can each have a smaller copy
18 to keep with you, too, if you want that. Some of
19 those maps are kind of hard to identify when they get
20 too small.

21 SECRETARY STACY: Yeah.

22 CHAIRPERSON TIMMERMAN: Yeah.

23 MS. LAND: Also, back in 2002, there was no
24 ability to copy things with color, so they have dots.

1 They have these slashes, those slashes.

2 SECRETARY STACY: Some of them are hard to
3 read.

4 MS. LAND: It's crazy to figure out what it
5 is, especially the smaller it gets.

6 Why don't we just operate off the big ones.
7 Once we get some stuff on there, then maybe we can
8 have them reproduced in a smaller size for you to have
9 them and be able to study them, if that works for you
10 guys.

11 CHAIRPERSON TIMMERMAN: Sure.

12 MS. LAND: Okay. The first district that
13 you need -- well, some of this stuff is -- I keep
14 calling it housekeeping, but it kind of is. It's just
15 boilerplate that applies to all the districts.

16 This first part, district boundaries,
17 interpretation, how they are interpreted. All that
18 needs to be gone through and decided if you guys want
19 to mess with it or not. It doesn't have a whole lot
20 of -- it's necessary, but it's not very controversial.
21 It's pretty standard often what's on these.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: Go ahead. I'll just listen and
24 stop you if you do something illegal.

1 CHAIRPERSON TIMMERMAN: For the purpose of
2 this Resolution, Allen Township is divided into the
3 following districts:

4 A-1, Agricultural District; RE, Residential
5 Estate District; R-1, One-Family Residential District;
6 R-2, One-Family Residential District; RM-1,
7 Multiple-Family Residential District; B-1, Local
8 Business District; B-2, Community Business District;
9 B-3, General Business District; ES, Expressway Service
10 District; I-1, Light Industrial District; I-2, General
11 Industrial District.

12 Is there -- like, R-1 and R-2, is there,
13 like, standards that they are what they are, or we do
14 completely change, like, modify what they are?

15 MS. LAND: You can modify as you want, once
16 you get down to those sections.

17 CHAIRPERSON TIMMERMAN: Yeah.

18 MS. LAND: Some of them, when you start
19 reading them, you think there's not a whole lot of
20 distinction between them.

21 CHAIRPERSON TIMMERMAN: Right. Just three
22 business districts.

23 MS. LAND: Well, the business districts are
24 kind of a big thing for the stuff that's --

1 CHAIRPERSON TIMMERMAN: Yeah.

2 MS. LAND: As things are developing, mostly,
3 I think the people developing the businesses like to
4 have the distinct districts because they don't end up
5 with something that overpowers them beside them.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. LAND: Like kind.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. LAND: You'll see it as we start going
10 through it. And, then, if you decide, though, that
11 there's something that you don't think is necessary,
12 you guys are free to combine them or separate them
13 more. Do whatever you want.

14 CHAIRPERSON TIMMERMAN: Okay. District
15 Boundaries. The boundaries of these districts are
16 established as shown on the Zoning District Map which
17 accompanies this Resolution. That map, with all
18 notations, references, and other information shown on
19 it shall be as much a part of this Resolution as if it
20 were verbally described.

21 District Boundaries Interpreted. Where
22 uncertainty exists with respect to the boundaries of
23 the various districts as shown on the zoning map, the
24 following rule shall apply:

1 Boundaries indicated as approximately
2 following the centerline of streets, highways, or
3 alleys shall be considered to follow such centerlines.

4 Boundaries indicated as approximately
5 following plotted lot lines shall be construed as
6 following such lot lines.

7 MS. LAND: When you get to -- go back a
8 second. The boundaries indicated as approximately
9 following the centerlines of streets, highways, or
10 alleys, you might want to identify whether it's the
11 centerline of the paved area or the centerline of the
12 right-of-way, because they are almost never the same.

13 Roads and streets and alleys aren't
14 always -- well, alleys usually are. But roads and
15 streets aren't usually built on the center of the
16 right-of-way; they're on one side or the other because
17 it's just wherever is the path of least resistance to
18 be able to build is where they put roads. So some of
19 them are down the middle, but it's kind of rare.

20 CHAIRPERSON TIMMERMAN: I just assumed it
21 was right down the middle.

22 MS. PARGEON: Yeah, I did too.

23 MS. LAND: And if you're measuring for
24 setbacks from the center of the road, you need to make

1 sure it's the center right-of-way, and that way it's
2 fair to both sides. Otherwise, one of them might get
3 30 more feet than the other from the setback issues.
4 So you might want to say the centerlines of the
5 right-of-way there.

6 SECRETARY STACY: Okay.

7 CHAIRPERSON TIMMERMAN: I think that makes
8 as much sense.

9 We good to keep going?

10 MS. LAND: Yeah.

11 CHAIRPERSON TIMMERMAN: No. 3. Boundaries
12 indicated as approximately following township limits
13 shall be construed as following township lines.

14 Boundaries indicated as following railroad
15 lines shall be construed to be the midway between the
16 main tracks.

17 Is there any weird right-of-way on that?

18 MS. LAND: No. A lot of times we don't even
19 really know for sure where their right-of-way is.
20 Railroads are really difficult to get them to give you
21 the information. They are still as strong as they
22 were back in the 1800s for being able to do whatever
23 they want.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. LAND: That's fine the way it is.

2 CHAIRPERSON TIMMERMAN: Okay. Boundaries
3 indicated as following shorelines shall be construed
4 to follow such shorelines, and, in the event of change
5 in the shoreline, shall be construed as moving with
6 the actual shoreline.

7 Boundaries indicated as approximately
8 following the centerline of streams, rivers, canals,
9 lakes, or other bodies of water, shall be construed to
10 follow such centerlines.

11 Is that -- well, I guess we have --

12 MS. LAND: We're talking about boundaries
13 for what your districts are. If you have -- does the
14 river run through the township? It does not, does it?

15 CHAIRPERSON TIMMERMAN: Nobody knows.

16 MR. EVANS: I mean, kind of.

17 SECRETARY STACY: We have Van Buren Lake.

18 MS. PARGEON: The Rocky Ford Creek.

19 MS. LAND: Yeah. If they, over time, shift,
20 or if they've changed because of some project that
21 redirects them, then, this just says that you don't
22 have to worry about it having a chunk of a different
23 kind of zoning on where it moved. Like, if it runs
24 through here, and it's Ag here and Business there, but

1 then it moves over here, you suddenly have Ag here
2 and, you know, it follows the river.

3 SECRETARY STACY: All right.

4 MS. LAND: If it's the boundary, it stays
5 the boundary, even if it moves. That's pretty easy
6 and a good way to do it.

7 CHAIRPERSON TIMMERMAN: Okay.

8 Boundaries indicated as parallel to or an
9 extension of features indicated in Subsections 1
10 through 5 above shall be so construed. Distances not
11 specifically indicated on the official Zoning District
12 Map shall be determined by the scale of the map.

13 Where physical or natural features exist on
14 the map -- on the ground are at variance with those
15 shown on the official Zoning District Map, or in other
16 circumstances not covered by Subsections 1 through 6
17 above, the Board of Zoning Appeals shall interpret the
18 district boundaries.

19 Insofar as some or all of the various
20 districts may be indicated on the Zoning District Map
21 by patterns, which, for the sake of the map clarity do
22 not cover public right-of-way, it is intended that
23 such district boundaries do extend to the center of
24 any public right-of-way.

1 Is that, again, where we do --

2 MS. LAND: It's already a right-of-way.

3 CHAIRPERSON TIMMERMAN: Already a
4 right-of-way, not just -- okay.

5 MS. LAND: There are -- and even in rural
6 townships, there are often rights-of-way that are
7 not -- that you don't even know are there because a
8 lot of subdivisions, they have stubs that are out past
9 them, some of them, because they are always set up to
10 be able to have another addition or some extension.
11 Those already exist and they can cause you problems.
12 But this way, it shouldn't, because you already have
13 it clarified.

14 SECRETARY STACY: Okay.

15 MS. LAND: That's why things like that are
16 in there, for weird stuff that you don't really know.
17 But it comes up and we're, like, Well, now we're
18 covered. That's why it's kind of standard.

19 SECRETARY STACY: Okay.

20 MS. LAND: Boilerplate.

21 CHAIRPERSON TIMMERMAN: Zoning of Vacated
22 Areas. Whenever any street, alley, or other public
23 way within the unincorporated area of Allen Township
24 shall be vacated, such street, alley, or other public

1 way, or portion thereof, shall automatically be
2 classified in the same zoning district as the property
3 to which it attaches.

4 District Requirements. All buildings and
5 uses in any district shall be subject to the
6 provisions of Article XV -- is that 15? Yeah. --
7 General Provisions, and Article XVI, General
8 Exceptions.

9 Article IV.

10 MS. LAND: Now you're starting in on your
11 first area or district --

12 CHAIRPERSON TIMMERMAN: Yeah.

13 MS. LAND: -- in the General Provisions.

14 CHAIRPERSON TIMMERMAN: A-1, Agricultural
15 District, Section 410.

16 The A-1 Agricultural Districts are intended
17 to provide for agricultural use for those areas best
18 suited to farming activity and recognizing that prime
19 farmland is an unrenewable resource to protect and
20 preserve such land for agricultural use. The intent
21 is to provide for an environment of predominately
22 agricultural activity wherein residential development
23 is clearly accessory and ancillary to a farming
24 operation.

1 Section 401. Principal Uses Permitted.

2 In an A-1 Agricultural District, no building
3 or land shall be used, and no building shall be
4 erected, except for one or more of the following
5 specified uses, unless otherwise provided in this
6 Resolution:

7 1. Farms and farming operations.

8 2. Publicly owned and operated libraries,
9 parks, parkways, and recreational facilities.

10 3. Public, parochial, and other private
11 elementary and secondary schools offering courses in
12 general education and not operated for profit.

13 4. Churches and other facilities normally
14 incident thereto.

15 5. Utility and public service buildings and
16 uses without storage yards when operating requirements
17 necessitate the locating of such buildings within the
18 district in order to serve the immediate vicinity.

19 6. Home occupations.

20 7. Cemeteries which lawfully occupied land
21 at the time of the adoption of this Resolution.

22 8. Accessory buildings and uses customarily
23 incident to any of the above permitted uses.

24 And in the case of agricultural use, this

1 may include the outside storage of implements and/or
2 machinery.

3 9. Non-accessory signs not exceeding
4 32 square feet.

5 SECRETARY STACY: I have a question on the
6 cemetery portion. So, obviously, we know where the
7 cemetery is right here. It's my understanding the
8 township also owns property across the road, so I
9 don't know if that -- if there's an intent where that,
10 at some point in time, could be used as a cemetery.

11 MS. LAND: Yeah. They wouldn't -- these
12 are --

13 SECRETARY STACY: It could still be ag. If
14 it was ag, then it would be permitted.

15 MS. LAND: Permitted. Public entities
16 aren't subject to zoning, even the township. So if
17 they need to extend their building, or if they need to
18 put in more ball fields, or if they want -- they could
19 do that without having to go through the zoning
20 process. The concept being that they aren't about to
21 go out there and do something that's --

22 SECRETARY STACY: Right.

23 MS. LAND: -- contrary to what they're
24 trying to do for zoning.

1 SECRETARY STACY: Okay.

2 MS. LAND: Makes sense.

3 This would stop private cemeteries that
4 don't already exist. Private cemeteries are something
5 that you think, Oh, no big deal. They can be quite a
6 big problem.

7 SECRETARY STACY: Yeah.

8 MS. LAND: Especially if they are not
9 maintained and they have -- some of them have
10 mausoleums, and if those mausoleums aren't maintained,
11 you end up with a bunch of interments that need to be
12 redone. 20 years ago we had a bunch of kids coming
13 home with bones because they found them sticking out
14 of the -- cracking -- yeah. It was pretty awful.
15 Worse, it was a cholera cemetery.

16 Actually it's closer to 50 years ago.
17 Shortly after I started working here.

18 CHAIRPERSON TIMMERMAN: Is there any other
19 thing that we wanted to add or change, or whatever, in
20 Principal Uses Permitted?

21 SECRETARY STACY: In regards to No. 8, it
22 makes mention of outside storage. Again, we're
23 talking about a farming operation, outside storage of
24 implements and/or machinery.

1 Would we want to consider adding anything
2 like grain bins or grain storage or housing for
3 livestock? Because, obviously, those are ag uses. I
4 mean, farms do have more than just machine storage
5 buildings.

6 MS. LAND: Yeah. I think those would
7 probably be covered under Accessory Building, because
8 they are common things that you need in an
9 agricultural operation. But, probably, as you're
10 going through here, you're going to get some rules
11 about not being able to leave things sit out in the
12 yard, machinery and stuff like that. In agricultural
13 areas, you're saying they can because how many people
14 have enough barn space for all of their -- maybe they
15 do. I don't know. Some of those look pretty big to
16 put in barns.

17 SECRETARY STACY: Okay.

18 MS. LAND: The other thing that -- just
19 before you go on here, under Principal Uses Permitted,
20 all of these things, if I were to come in and I would
21 like a permit to do something that's on this list,
22 none of you guys ever hear about it. The zoning
23 inspector deals with it, gives the permit and reports
24 to the trustees at the next meeting: This is what we

1 did because it's just allowed. This is the stuff that
2 the zoning inspector would look at and say, "Yep, it
3 fits this list, and they can give it."

4 So the more liberal you want to be, the more
5 things you want to permit on those lists that are
6 permitted so there's not a question or having to go
7 through extra hoops to get it done.

8 SECRETARY STACY: But they have to get a
9 permit?

10 MS. LAND: Uh-huh. Yeah. Farming
11 operations still need to have a permit. They don't
12 have to pay for them, but they still have to meet
13 setbacks. That's the only reason that they have to
14 still come in and ask for the permit.

15 If they don't get a permit and just go ahead
16 and build something, which is often common, right
17 after you start having zoning, because people forget
18 or don't really know, or haven't paid any attention,
19 which happens. Then the zoning inspector doesn't have
20 to go out and red tag anything. They just go out and
21 tell them, "I need to write you this permit, and you
22 can stick it inside your barn. We're all good."

23 So agricultural has had a whole lot more
24 latitude than residential areas.

1 SECRETARY STACY: That's part of the
2 setbacks --

3 MS. LAND: Yeah.

4 SECRETARY STACY: -- so things aren't right
5 by the road.

6 MS. LAND: Or obstructing right-of-way or
7 infringing on a neighbor. It very seldom gets to be a
8 problem because, you know, I mean, if you have
9 60 acres, you're not going to build your barn in the
10 back corner of the 60 acres where it's going to
11 encroach on the neighbor. Well, not with zoning, you
12 won't. But it still will only be 30 feet off the
13 line, so it's not like we're asking them to do
14 anything the others aren't doing. But they don't pay
15 for those permits. That's the biggie.

16 CHAIRPERSON TIMMERMAN: I was reading
17 through here, Principal Uses Permitted, Home
18 occupations is one of the Principal Uses Permitted.

19 MS. LAND: Uh-huh.

20 CHAIRPERSON TIMMERMAN: And one of the
21 Principal Uses Permitted, subject to special
22 conditions is home businesses.

23 MS. LAND: Uh-huh.

24 CHAIRPERSON TIMMERMAN: Again, what is the

1 difference between home businesses and home
2 occupations?

3 MS. LAND: Home occupations are something
4 that is carried on exclusively within the home, in the
5 residence.

6 A home business is something that's carried
7 on on the property. It could be outside. And that's
8 why you want -- normally they put them under
9 Conditional Uses so that you can come and tell them,
10 This is what I'm doing. This is how it's going to
11 affect my neighbors, or not going to affect my
12 neighbors.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: A home occupation, the neighbors
15 never even really know anybody is doing it. Who knows
16 if somebody is sitting in their office in their house
17 doing somebody's accounting books? Or, you know,
18 getting deliveries from UPS and then driving away and
19 delivering Avon. That kind of stuff is, you know, a
20 home occupation.

21 CHAIRPERSON TIMMERMAN: Okay. Just reading
22 through the definitions there.

23 MS. LAND: Yeah.

24 CHAIRPERSON TIMMERMAN: There is very

1 similar wording, but --

2 MS. LAND: They are.

3 CHAIRPERSON TIMMERMAN: -- it says dwelling
4 versus property basically.

5 MS. LAND: Yeah. And with it being on the
6 property, it could have the potential for being
7 something pretty obnoxious to the neighbors, when, you
8 know --

9 CHAIRPERSON TIMMERMAN: Okay. Anybody have
10 anything else they want to add to Principal Uses
11 Permitted?

12 Section 402. Principal Uses Permitted,
13 Subject to Special Conditions.

14 The following uses shall be permitted
15 subject to the conditions hereinafter imposed for each
16 use and subject further to the review and approval of
17 the zoning commission:

18 No. 1. Single-Family Dwellings, Accessory
19 to Farming Operations. Provided there is a minimum
20 lot area of 2 acres with a minimum width of 250 feet
21 at the street right-of-way line.

22 We just built our house and 250 feet seemed
23 really wide. But our property -- I didn't measure it.
24 It's, like, closer to 150 and that seemed narrow. So

1 I don't know. 250 seems like a big number to me.
2 I think, like, 200 would be a better number. But I
3 don't know if we're splitting hairs or if anybody has
4 feelings on that.

5 SECRETARY STACY: Wouldn't it also be
6 dependent on the shape of the lot itself, too?
7 Because you have to have your setback and side
8 setback.

9 CHAIRPERSON TIMMERMAN: Right. That's kind
10 of what we ran into. Again, ours is, like, roughly
11 150 with the setbacks that we followed. Our house
12 positioning, our garage entrance is on the side, so it
13 was a little tighter getting in on the side. Not
14 terrible. But, again, that's why I feel like 150 is
15 pretty small. I probably wouldn't go that small. But
16 for 2 acres, if you're 250 feet wide, and you're only,
17 like, 350 feet deep, you're getting to be fairly
18 square. Where, you know, if you narrowed it up a
19 little bit, you can get back more back yard.

20 I would propose 200 is where I'm at. But
21 I am open to anybody else. It says the same thing.
22 This is for Accessory to Farm Operations, and I think
23 the next one is non-accessory, and it says similar.

24 Anybody have any opinions or cares on that?

1 MR. EVANS: I can't think of anything
2 negative because you're changing it to 200. You know
3 what I mean?

4 CHAIRPERSON TIMMERMAN: I would just rather
5 have more backyard.

6 SECRETARY STACY: Uh-huh.

7 CHAIRPERSON TIMMERMAN: That's where we
8 spend our time. If you force them to go wide, I think
9 you're going to be losing backyards, is kind of my
10 thought process.

11 MR. EVANS: Want to change it?

12 CHAIRPERSON TIMMERMAN: I do. Does
13 anybody -- who is in favor of changing it to 200?

14 Darrin's good. Dave's good.

15 SECRETARY STACY: Yeah. I'm thinking you --
16 actually, where I live, I don't have a lot of space on
17 the sides, but I have a fair bit on the front and I
18 have a lot on the back. So I could see where
19 wanting -- you want some setback off the road for a
20 little bit of privacy. But, then, you also want the
21 space in the backyard to use.

22 CHAIRPERSON TIMMERMAN: Uh-huh.

23 SECRETARY STACY: Yeah. I don't see how 200
24 would be a problem. I don't know. Does anyone else?

1 MR. EVANS: No.

2 SECRETARY STACY: You've built homes.

3 MR. EVANS: I mean, I don't see anything
4 negative changing it to 200. Can you think of
5 anything that's happened that's --

6 MS. LAND: The only -- there's a certain
7 distance that's required between driveways for the
8 Access Management Plan. But I think -- I think 200 is
9 enough. You know, width of the lot. Because if it
10 turns out that you may have to have somebody who has
11 driveways on opposite sides of their lots to be able
12 to make their distance. I don't know what that
13 distance is. I know they have variances often
14 requesting that people have them in the wrong spot.

15 CHAIRPERSON TIMMERMAN: Is that regulated by
16 the County?

17 MS. LAND: Yes.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. LAND: Yeah. The Subdivision
20 Regulations, there is a whole process to be able to
21 adopt them. They have to be written and approved by a
22 committee that is statutorily determined. There's
23 Realtors on it. There's the Home Builders
24 Association. There's engineers, surveyors. They all

1 sit down together and they write these. Essentially,
2 the county engineer writes them, and, then, that group
3 goes through them like you guys are doing and picks
4 them apart. they have two hearings, they are adopted,
5 and it becomes legislation.

6 SECRETARY STACY: Is that Regional Planning?

7 MS. LAND: County Commissioners.

8 SECRETARY STACY: It is the actual County
9 Commissioners?

10 MS. LAND: Yeah. Regional Planning is not
11 involved with it at all anymore. It's the engineers
12 and commissioners are doing it after this last change.

13 CHAIRPERSON TIMMERMAN: If anybody cares,
14 going to 200-feet wide, you're about 435 feet deep.
15 So you're, like, twice as deep as you are wide.

16 MS. LAND: This is a minimum, so if they
17 want to have 300 --

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. LAND: -- they can do that.

20 CHAIRPERSON TIMMERMAN: Right.

21 MS. LAND: This is just a minimum.

22 CHAIRPERSON TIMMERMAN: Right. So is
23 everybody okay with 200?

24 VICE CHAIRPERSON REHUS: Yeah.

1 MS. PARGEON: Yeah.

2 MR. EVANS: Yeah.

3 CHAIRPERSON TIMMERMAN: No. 2.

4 Single-Family Detached Dwellings, Not Accessory to
5 Farming Operations. Provided there is a minimum lot
6 area of 2 acres with a minimum depth of -- do we want
7 to do 200 again here?

8 MS. LAND: You should probably stay
9 consistent.

10 CHAIRPERSON TIMMERMAN: Yeah. 200 feet at
11 the road right-of-way line, and provided further that
12 from parcels existing under single ownership and
13 control at the effective date of this Resolution, not
14 more than one such dwelling lot may be created from
15 each 10 acres contained in the original parcel.

16 MS. LAND: Okay. This is that density
17 clause that we were talking about earlier that there
18 are a bajillion ways to do this. This is a pretty
19 common practice that you can have one per however many
20 acres you have. You know, some are 35 acres.
21 Washington Township, Cass Township is one house per
22 quarter quarter section, which those kind of zoning
23 ordinances that are really restricting having any kind
24 of growth or houses are part of the reason there's

1 that push down in Columbus right now with the House --
2 I think it's a House bill that's trying to eliminate
3 township zoning totally across the state because they
4 think that it's too restrictive and that's why there's
5 not enough affordable housing and there's not -- blah,
6 blah, blah. I don't know if they are right or not.
7 There's arguments on both sides of it. I think it
8 will never pass to say township zoning is gone
9 forever.

10 I'm afraid they may put some more
11 restrictions on the ones that are so -- require such
12 big amounts of property to be able to build a house.

13 So all that is my long-winded way of saying
14 you might want to go a little bit more like this, or
15 even something less restrictive so that you don't run
16 afoul of that if it gets changed; you'll already be in
17 the safe range.

18 There's one township that has one house for
19 every 1,280 feet or something like that. That's a
20 quarter mile.

21 MR. EVANS: That's very close to a quarter
22 mile.

23 MS. LAND: On each side of the road. So if
24 you have a house here, you have to go down 1,280 feet

1 before you can have one on either side of the road,
2 and that's how they are spacing out density in that
3 township.

4 They've had the same zoning inspector for
5 many, many, many years, and he understands how it
6 works. I hope I retire before they get a new one
7 because I have a feeling it's going to be very
8 difficult for anybody else to sort out. It's not an
9 easy one.

10 Almost nobody can figure it out till they
11 come to the zoning inspector, which it's not kind of
12 what you want. You don't really want people not
13 knowing if they can build on their property. They
14 should be able to read the book and figure out if they
15 can or not. That should be your goal when you're
16 writing this; that people can read it and know what
17 they can and can't do.

18 CHAIRPERSON TIMMERMAN: At the last meeting,
19 I think you said something about, if a farmer had,
20 like, an 80-acre field he could get, like, from this,
21 it's every 10 acres, so he could get --

22 MS. LAND: Eight.

23 CHAIRPERSON TIMMERMAN: -- eight lots off of
24 it. Versus if a guy had a 16-acre field, and there

1 was no regulations, he could still get --

2 MS. LAND: Eight.

3 CHAIRPERSON TIMMERMAN: -- the same eight
4 lots.

5 MS. LAND: There are some issues associated
6 with that because, once you get more than three lots,
7 you have to have a subdivision. Once you get the
8 subdivision, you've have to file subdivision regs,
9 which makes it -- it's not -- there are a lot of
10 issues that have to be approached then. They have to
11 have roads that are -- mostly they require storm
12 sewers and gutters. What else?

13 The EPA steps in, if you have more than
14 three houses, then you have to have sewer. You either
15 have to be attached to sanitary sewer, or you have to
16 have a package plant.

17 There's one in one township near here
18 Liberty maybe or Blanchard Township. It's out on 12.
19 There's a nice subdivision back in there. They have
20 their own package plant. They have their own sewer
21 system in there. That's a lot to do. It's very
22 expensive to maintain. It's hard to develop those
23 lots. So somebody who wants to plop down eight lots,
24 it's not that easy. Once they get -- after that third

1 split, then they have all of these rules to follow.
2 So it's not likely, unless they're going to go through
3 a subdividing situation.

4 People who worry -- you know, and that's
5 always been the worry. But listening to townships
6 worry about this for 32 years now that they're going
7 to have people come out and plop houses all over,
8 there are so many other things that they have to
9 follow that it kind of stems that growth a little
10 because they have to follow rules if they are going to
11 do a whole big bunch of houses.

12 SECRETARY STACY: Who puts those rules into
13 place? Is that the health department?

14 MS. LAND: That's also the County
15 Commissioners. That one is completely regulated by
16 Regional Planning, though. They run that whole
17 program. The engineer was involved in that, too, in
18 some manner, but I don't know where he fits into it.

19 SECRETARY STACY: Would we want to add
20 language for people, when they read this, so they
21 realize that this is not all created by township
22 zoning and that there are other entities that
23 determine certain things? Because I could see where
24 someone would say, Oh, my gosh. That's so

1 restrictive. What are you guys trying to do? And
2 here, we're really laying the groundwork for what can
3 and cannot be done.

4 MS. LAND: You can. It makes your book a
5 little more vulnerable to needing to be changed every
6 time that stuff changes to make sure that you aren't
7 saying something that's contrary to it, which is one
8 of those things that somebody would just have to
9 really maintain watch on.

10 Right now, this is pretty liberal, more so
11 than most of them, because you're saying ownership
12 under -- or single ownership, effective of the date of
13 this Resolution. So they don't have to have
14 contiguous fields. They don't -- if you end up owning
15 100 acres, but they are in, you know, 20 acres here,
16 15 acres there, you add them all together and that's
17 how many building lots you can get, the way this is
18 written, because it's under single ownership and
19 control.

20 But if you own part of it in your name, part
21 of it in your husband's name, part of it in a trust,
22 or a corporation, those are not under single ownership
23 and control. They are each one individual. So it
24 would have to all be the ones under your name or under

1 your husband's name. That's a common thing, too. You
2 go along and it's somebody's property in their trust.
3 You know, it's very confusing for people about what's
4 under their ownership and control.

5 CHAIRPERSON TIMMERMAN: What you just said,
6 though, this says, Not more than one such dwelling may
7 be created from each 10 acres contained in each -- in
8 the original parcel.

9 MS. LAND: Right.

10 CHAIRPERSON TIMMERMAN: Does that go against
11 what you're saying?

12 MS. LAND: No, because we consider that
13 original parcel of what they own because it says,
14 "under single ownership and control."

15 CHAIRPERSON TIMMERMAN: Okay.

16 MS. LAND: It's one of those things that
17 gets kind of confusing.

18 You know, one of the townships, Delaware
19 Township has -- if you have 2 acres, you can build.
20 They've had no more issues than anybody else with the
21 number of properties because of the -- you know, you
22 can't build six houses because there's other rules
23 about that. But if you want to put up -- that's the
24 least restrictive you can get. You know, when they

1 were putting together their zoning, they had a concern
2 for some development that was going to be happening,
3 and they put it together as least restrictive as they
4 could get.

5 So if you want to look at a zoning book for
6 the county that we have in this county that's probably
7 the most liberal, that's probably the one. And
8 they've had very few issues.

9 Now, they don't have the same city
10 encroachment that you guys have that could change some
11 of that. But in the agricultural portion of it, you
12 may want to go more liberal. You're not going to be
13 hurting anybody. Other things will stop the ugly
14 growth but still give property owners the ability to
15 do what they want to do without having to jump through
16 too many hoops.

17 SECRETARY STACY: And I will say, I'm aware
18 of farm ground where frontage is every 2 or every
19 5 acres solid, so that is grandfathered in. Those
20 remain.

21 MS. LAND: Yeah. Are they empty lots or do
22 they have houses on them?

23 SECRETARY STACY: There's nothing on them.
24 But if you look at the auditor's website, you can see,

1 it's just side by side by side by side across the
2 front, all of the frontage. There's a number of them.

3 MS. LAND: Yeah. I think those were created
4 the last time zoning was --

5 SECRETARY STACY: That's correct. They
6 were.

7 MS. LAND: -- so they would have building
8 lots.

9 SECRETARY STACY: That's correct. But they
10 would still be restricted with this.

11 MS. LAND: They would still have the problem
12 with the EPA coming in and saying, We're not going to
13 give a septic system to the fourth one. You have to
14 have a sewer. That's something none of us can
15 control. That's the State.

16 There are, you know, a lot of times people
17 get really worked up saying, I don't want zoning
18 because I don't want anybody telling me what to do
19 with my property. There are so many things already
20 that have control that it's not going to be that much
21 more that you guys are putting on.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. LAND: Which is -- you know, and people
24 are living with it every day without even -- it hasn't

1 really infringed on what they're doing because most of
2 them aren't even aware that it's there, which is some
3 argument you can use for the, I don't want anybody
4 telling me what to do with my property.

5 SECRETARY STACY: It would appear that what
6 our choice to chew on here is if we keep it as it is
7 currently in the last Resolution with having a 2-acre
8 building lot off of a 10-acre parcel, or you made
9 mention of just a straight 2-acre parcel.

10 MS. LAND: Yeah. I think there's some
11 confusion in the way this one is written now where
12 they say, "from parcels existing under single
13 ownership and control, the effective date." That
14 brings into question that issue of can I consolidate
15 everything I own, come up with a number, and, then,
16 have that many lots.

17 I'm not sure that's really what you want to
18 have happening because that can get kind of -- it's
19 confusing and it's messy, and they may not always know
20 they are out of building lots. And, then, people get
21 very angry if they're trying to market something and
22 find out nobody can build on it.

23 You may -- if you put this in here, we want
24 to change it maybe to be contiguous parcels. So it

1 would have to be -- you might have 80 acres that are
2 in four parcels, they all touch each other, that's
3 80 acres under single ownership. But if you have
4 40 more acres 5 miles away, that's a separate new
5 40 acres that doesn't count in with this.

6 SECRETARY STACY: Or, legally, you could set
7 up separate homes for a certain number and --

8 MS. LAND: Yeah.

9 SECRETARY STACY: -- each one is a separate
10 entity. People learn how to circumvent.

11 MS. LAND: They do. And there's nothing we
12 can do about that.

13 CHAIRPERSON TIMMERMAN: At the end of the
14 day, the farmer either wants to sell the land or
15 doesn't want to sell the land. And building a house,
16 it's hard to find land. So, I mean, within reason, if
17 you have 2 acres, I don't see why you can't build.
18 That's kind of where I'm at.

19 SECRETARY STACY: I could see that being a
20 sticking point for the zoning issue as a whole.

21 CHAIRPERSON TIMMERMAN: If you restrict
22 that.

23 SECRETARY STACY: Well, I mean, either/or.
24 I mean, I'm sure there will be some people that would

1 prefer what's written here, and I think there would be
2 people that would prefer just a straight 2-acre lot
3 and just -- zoop. I mean, I don't know how we contend
4 with that as far as is that better trying to get
5 feedback on something like that.

6 CHAIRPERSON TIMMERMAN: From outside the
7 group? Is that what you're --

8 SECRETARY STACY: Yeah.

9 CHAIRPERSON TIMMERMAN: Does anybody at the
10 table have any other thoughts on it?

11 VICE CHAIRPERSON REHUS: You looking at me?

12 CHAIRPERSON TIMMERMAN: I'm okay with it.
13 Can we give it up to anybody in the room?

14 MS. LAND: Yeah.

15 CHAIRPERSON TIMMERMAN: Does anybody have
16 any thoughts?

17 FROM THE FLOOR: Could you guys repeat it?

18 CHAIRPERSON TIMMERMAN: Did you fall asleep?

19 FROM THE FLOOR: Yeah.

20 SECRETARY STACY: Tends to do that to
21 people.

22 FROM THE FLOOR: Repeat it.

23 CHAIRPERSON TIMMERMAN: So basically it's
24 two different ways. Well, there's a million ways to

1 look at it.

2 Initially, it says, if you have 10 acres,
3 you can split off one lot from that, and it's by
4 ownership. So if they have 10 acres here, 10 acres
5 here, and 10 acres here, you can get three lots from
6 it because you have a total. So that's one way of
7 looking at it.

8 The other way of looking at it is you own 2
9 acres, however you got your 2 acres, you can build on
10 it. So do you restrict it? Do you just make it if
11 you have acreage.

12 FROM THE FLOOR: What do you mean you
13 restrict it?

14 CHAIRPERSON TIMMERMAN: Do we limit how many
15 lots -- in general, it's going to be a farmer. How
16 many lots a farmer can split off of his land for
17 putting up houses basically.

18 FROM THE FLOOR: How would it come in? How
19 would it be close to being if you had 10 acres, you
20 could sell one lot? So what's their percentage if
21 they have 80 acres? You know, or if they had more
22 acres, are they going to get more lots?

23 CHAIRPERSON TIMMERMAN: The more acreage
24 they have, the more lots they can divide.

1 FROM THE FLOOR: Then, would you say that,
2 if they sell off so many lots, they have to follow
3 County rules?

4 CHAIRPERSON TIMMERMAN: Yeah. Then you're
5 getting into --

6 FROM THE FLOOR: So, I mean, could you make
7 that known in your --

8 CHAIRPERSON TIMMERMAN: That's what -- she
9 said you could, but, then, that's where it's any time
10 the County changes their rules, we would have to
11 change our zoning.

12 FROM THE FLOOR: I get it.

13 CHAIRPERSON TIMMERMAN: So that's a layer of
14 confusion, room for error, or whatnot.

15 SECRETARY STACY: Unless you word it just
16 that these entities come -- may have the power to come
17 into play without being very specific exactly whether
18 they do.

19 MS. LAND: So you could maybe say
20 Single-Family Detached dwellings, not accessory to
21 farming operations, provided there's a minimum lot
22 area of 2 acres with a minimum width of 250 feet at
23 the road right-of-way line, subject to provisions of
24 Environmental Protection Agency, Hancock Public

1 Health, and the Hancock County Subdivision
2 Regulations.

3 SECRETARY STACY: Right. I think it
4 makes -- again, I don't want someone reading that and
5 thinking that we, sitting here at this table, are the
6 ones responsible for every single thing that impacts
7 because they're going to say, You guys are being too
8 restrictive, where, in fact, these entities are --

9 CHAIRPERSON TIMMERMAN: Doing more than we
10 are.

11 MS. LAND: They are far more restrictive
12 than you are.

13 FROM THE FLOOR: Are you still open to the
14 floor comments?

15 SECRETARY STACY: Sure. Go ahead.

16 FROM THE FLOOR: Thank you. The feedback
17 I've heard is that you are going to get pushback if
18 you go any more restrictive than 2 acres. I can do
19 2 acres here, 2 acres, and I can keep going 2 acres
20 everywhere. There will be a lot more pushback --

21 CHAIRPERSON TIMMERMAN: Right.

22 FROM THE FLOOR: -- because it would be too
23 restrictive and will be brought up numerous times.

24 SECRETARY STACY: I think so.

1 MR. EVANS: So this will be more liberal --
2 CHAIRPERSON TIMMERMAN: Sure.
3 MR. EVANS: -- which I like.
4 CHAIRPERSON TIMMERMAN: Yeah.
5 MR. EVANS: Like you said, if you have
6 2 acres, as long as it's okay with the other parties
7 that have restrictions.
8 FROM THE FLOOR: Where did 2 acres come
9 from? Isn't that from the health department?
10 SECRETARY STACY: Health department.
11 MS. LAND: You have to have that or they
12 won't give you a septic system for less than 2. But
13 if you have access to sanitary sewer, you can have
14 less than 2-acre lots.
15 2 acres is usually a minimum lot use because
16 of the health department. If you have a lot of areas
17 that have access to sewer, you can also make a
18 different number, if they have access to sanitary
19 sewer.
20 MS. PARGEON: You need the 2 acres so you
21 can have a leach field, your septic tank, and
22 everything that goes with it. It's necessary.
23 MS. LAND: But if you have your building on
24 a lot and you can tap into the sewer that's already

1 there --

2 MS. PARGEON: That's totally different.

3 MS. LAND: -- then you can have less than.

4 MS. PARGEON: Yes.

5 MS. LAND: One-acre lots, I mean, they start
6 to feel kind of small when you start to have 2 acres
7 everywhere else.

8 MS. PARGEON: Very small.

9 MS. LAND: Usually it's something that comes
10 in as a subdivision, and, then, the subdivision regs
11 rule in there how about how small they can be. They
12 can be pretty small in there. They can cut them up,
13 depending on what type of houses they are marketing to
14 put on them.

15 MS. PARGEON: Out in the country, it needs
16 to be 2 acres. That is a definite.

17 MS. LAND: Yeah. The board of health will
18 never -- no parcel less than 2 acres or lot less than
19 2 acres is going to get a septic system in Hancock
20 County. It's their rule. They won't let you do it.

21 FROM THE FLOOR: About 5 years ago they
22 didn't -- ten years ago, they had to be more because
23 the septic systems were different.

24 MS. LAND: Yeah. Now, they are --

1 FROM THE FLOOR: They've got bigger leach
2 fields back there.

3 MS. LAND: Then we figured out leach beds
4 don't work in our county. We have too much clay.

5 SECRETARY STACY: Yeah. Does it make sense
6 for us to address housing lots that may have access to
7 an actual sewage system?

8 MS. LAND: That's up to you guys. You can.
9 Maybe under the -- you would definitely want to have
10 it under this conditional -- permitted under
11 condition. But they would have to come in and prove
12 that they have access and they were planning to
13 attach. Because sometimes, even if they have access,
14 they aren't planning to attach to it, so we have to --
15 you'd have to word it that they can be smaller if the
16 house that the residents build is going to be attached
17 to public sewer.

18 SECRETARY STACY: What do you guys think?

19 CHAIRPERSON TIMMERMAN: I think that is a
20 little bit more open, but it's more things to weed
21 through, too.

22 MR. EVANS: It seems less restrictive,
23 because if we don't do this, then you have to have
24 2 acres, even if you have city water and sewer.

1 SECRETARY STACY: Right.

2 MR. EVANS: And not everybody wants to do
3 that.

4 SECRETARY STACY: I can see this being --
5 this could be an issue for people.

6 MR. EVANS: That would make it more liberal,
7 don't you think, if we went with --

8 SECRETARY STACY: I think, at this point --

9 MR. EVANS: If you have access to city
10 water, city sewer, you want to hook into it. But,
11 then, at that point, you determine how small an acre
12 it is.

13 CHAIRPERSON TIMMERMAN: Right. Let's go
14 here real quick.

15 What are the rules if -- let's say
16 somebody's willing to pay to have the city water and
17 sewer be extended just a little bit to their property.
18 Isn't there a rule that if the city water and sewer is
19 at the road, you're required to tap into it?

20 MS. LAND: For sewer. If there's a trunk
21 line within a certain number of feet of where your
22 residence is going to be, you're required to tap in.

23 CHAIRPERSON TIMMERMAN: If they bring it
24 past my house and my house is brand new, and I put a

1 septic field in last week --

2 MS. LAND: You've got to tap.

3 CHAIRPERSON TIMMERMAN: -- I've got to tap
4 into it. You're going to start interfering with
5 everybody else that already is set up.

6 MR. EVANS: Volunteering is a better
7 situation to tap into the sewer.

8 CHAIRPERSON TIMMERMAN: No argument. But I
9 just put in a septic system --

10 MS. PARGEON: And it costs.

11 CHAIRPERSON TIMMERMAN: -- and it cost a lot
12 of money.

13 SECRETARY STACY: Any thoughts out there on
14 that one?

15 CHAIRPERSON TIMMERMAN: The board just got
16 bigger.

17 FROM THE FLOOR: What's the chance of them
18 putting sewage systems for residential? I know they
19 got the factories.

20 CHAIRPERSON TIMMERMAN: I live on 230. We
21 just built just north of where Sheetz is coming and,
22 guess what? They're bringing city water and sewer
23 right there. So it's truly only a matter of time
24 until it gets brought down my way and I'm forced to.

1 FROM THE FLOOR: They did that along Main
2 Street, all of the way to Van Buren.

3 CHAIRPERSON TIMMERMAN: Right.

4 FROM THE FLOOR: So they made all those
5 people. I think they had a grace period of I think a
6 couple years, or something like that, before they had
7 to do that. But, you know, it's just luck of the
8 draw.

9 CHAIRPERSON TIMMERMAN: It is. It is.

10 FROM THE FLOOR: I mean, that particular
11 thing.

12 MS. PARGEON: The sewer is already out to
13 Van Buren State Park now, and we're going to be
14 hooking into that.

15 FROM THE FLOOR: The gentleman with the
16 campground.

17 CHAIRPERSON TIMMERMAN: Yeah.

18 FROM THE FLOOR: He's running a line out to
19 the campground.

20 MS. LAND: But if he's only going to run a
21 pressure line or something, instead of a trunk, that
22 doesn't count.

23 FROM THE FLOOR: Okay.

24 MS. LAND: Because a pressure line requires

1 to have a pump station which is very expensive and not
2 practical. So it would have to be a trunk -- gravity
3 sewer past your house to be able to require it.

4 FROM THE FLOOR: He wants to hook up
5 multiple connections. I think he wants to run that to
6 the campground.

7 MS. LAND: My guess is his best bet would be
8 doing a pressure line out to the gravity, and having a
9 lift station at his -- and then gravity inside his
10 park, so, then, that wouldn't stretch outside of where
11 he is.

12 FROM THE FLOOR: I'm thinking more of the --
13 because those are open farm lots that are from Main
14 Street where the main line is out there.

15 FROM THE FLOOR: He's going toward the
16 right-of-way.

17 FROM THE FLOOR: I'm talking about the lot
18 sizes if there is sewer available.

19 FROM THE FLOOR: And that would be an area
20 that would certainly qualify.

21 SECRETARY STACY: Correct. Right. And,
22 again, I can see where people would take a stand on
23 that.

24 FROM THE FLOOR: Or even smaller.

1 SECRETARY STACY: Yeah. I personally like
2 wide open spaces, but I don't want -- and, again, my
3 personal feelings, I'm trying to be representative of
4 what makes the most sense for everyone in the
5 township. So I'm almost inclined to think that maybe
6 the 2-acre lot -- just a straight 2-acre lot for
7 building and ag. And, then, if they have access to
8 sewer, take it down to 1 acre. Does that make sense?

9 VICE CHAIRPERSON REHUS: Makes sense to me.

10 FROM THE FLOOR: Don't we want the place to
11 grow? Perrysburg.

12 SECRETARY STACY: I've lived here all my
13 life. You can get issues when you increase population
14 density, too. I understand people want to. It almost
15 feels like we are one big subdivision right now
16 because I've been here my whole life.

17 FROM THE FLOOR: I like the 2 acres. I
18 don't like people.

19 FROM THE FLOOR: I want 2 acres.

20 FROM THE FLOOR: Stay over there.

21 CHAIRPERSON TIMMERMAN: My thought -- with
22 what you're saying, my thought with the 1 acre is that
23 if you do that, would a farmer -- he could split into
24 more lots, theoretically, subject to all the other

1 stuff. But, at that point, he could justify bringing
2 the sewer there possibly. Like, it would be cost
3 effective to bring the sewer there and justify so he
4 could sell more lots potentially.

5 MS. LAND: It would have to be a subdivision
6 at that point.

7 VICE CHAIRPERSON REHUS: You said more than
8 three?

9 MS. LAND: Yeah.

10 CHAIRPERSON TIMMERMAN: I didn't know
11 whether that's going to encourage growth potentially.

12 MS. LAND: The only way to get away from the
13 subdivision regs is to have lots over 5 acres. If you
14 have a lot -- there are a lot of subdivisions sitting
15 around in parts of the county that have clusters of
16 houses that are 5.01 acres, so they didn't have to
17 follow subdivision regs. But the EPA still comes in
18 and says we're not putting septic systems on more than
19 three of these houses. You have to have a sewer
20 system.

21 CHAIRPERSON TIMMERMAN: Okay. I get your
22 point. I would probably lean towards just keep it
23 simple at 2 acres. But that's just my vote.

24 MS. LAND: If you do a minimum lot size of

1 1 acre, what's your frontage?

2 CHAIRPERSON TIMMERMAN: Exactly.

3 MS. LAND: If you do 200 feet on a 1-acre
4 lot, you're going to get kind of a very --

5 MR. EVANS: Little over 200 deep.

6 CHAIRPERSON TIMMERMAN: That's a very good
7 point.

8 FROM THE FLOOR: Possibly cheaper houses.
9 Possibly a lot more trailers or modular homes.
10 Smaller homes.

11 CHAIRPERSON TIMMERMAN: That's the next
12 topic.

13 FROM THE FLOOR: Oh, hey.

14 CHAIRPERSON TIMMERMAN: Not quite next.

15 SECRETARY STACY: Do we want to scratch the
16 10-acre thing and just say, if it's a 2-acre --

17 CHAIRPERSON TIMMERMAN: 2-acre lot, then,
18 it's subject -- then you could throw in that you're
19 subject to EPA and whatnot.

20 MS. LAND: You don't want to do 1-acre and
21 the sanitary sewer part?

22 SECRETARY STACY: This is a living document,
23 right?

24 MS. LAND: Absolutely.

1 CHAIRPERSON TIMMERMAN: All in favor of
2 going that way.

3 VICE CHAIRPERSON REHUS: Yeah.

4 MS. PARGEON: Aye.

5 MR. EVANS: Yeah. We're changing the 10 to
6 2.

7 CHAIRPERSON TIMMERMAN: Cindy, when you read
8 it earlier, you said 250 feet of road frontage.

9 MS. LAND: Oh, did I? I have a line through
10 it.

11 CHAIRPERSON TIMMERMAN: You're fine.

12 MS. LAND: 200 feet of road right-of-way at
13 the road right-of-way line. You're subject to all --

14 SECRETARY STACY: Well, I mean, if I --
15 yeah.

16 CHAIRPERSON TIMMERMAN: Then we're at a
17 stalemate.

18 SECRETARY STACY: There's a lot to think
19 about.

20 CHAIRPERSON TIMMERMAN: There sure is.

21 MS. LAND: Okay.

22 CHAIRPERSON TIMMERMAN: We're good to go?

23 MS. LAND: Yeah.

24 CHAIRPERSON TIMMERMAN: No. 3. Home

1 businesses shall be permitted subject to conditions
2 the zoning commission deems necessary for the
3 protection of the agricultural character of the
4 surrounding area.

5 Is that, like, really vague? Like, what the
6 zoning commission deems --

7 MS. LAND: Uh-huh.

8 CHAIRPERSON TIMMERMAN: -- necessary?

9 MS. LAND: Uh-huh. Yeah.

10 CHAIRPERSON TIMMERMAN: It's completely up
11 to the -- whatever they deem necessary.

12 MS. LAND: Yeah. The only -- there's a
13 downside to having things vague. There's an upside,
14 of course, because you don't have to worry about every
15 possible scenario and have it planned for.

16 But when you -- the downside is you have to
17 be very conscious of what you've done before because
18 you tend to set a precedent for what is and isn't
19 permitted and it can't be depending on, you know, who
20 they are.

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: It has to be, if more than one
23 person comes in with generally the same idea, you have
24 to treat them similarly.

1 CHAIRPERSON TIMMERMAN: Right.

2 MS. LAND: There are certain things that
3 will make each situation unique that may change the
4 answer, but you'd have to be really careful to
5 articulate that when you're making the decision.

6 Like, if I'm permitted to do something, and
7 then you come and ask to do basically the same thing,
8 but you live where something near you makes it less
9 likely to be a good idea there, you would have to just
10 say, We're saying no to you, and this is why.

11 So it distinguishes it from where the other
12 one was. It puts a little more burden on the zoning
13 commission to make sure that you are on top of what's
14 been happening. The problem with that sometimes is
15 you may go a year without meeting with nobody needing
16 you, so you need to make sure that you stay fresh on
17 what's going on.

18 CHAIRPERSON TIMMERMAN: Yeah.

19 SECRETARY STACY: And if a home business is
20 in place prior to zoning, then it's --

21 MS. LAND: It's grandfathered.

22 SECRETARY STACY: Okay.

23 MS. LAND: Later, you're going to come along
24 to the things that are nonconforming, and if it's

1 something that would be nonconforming, then it would
2 have some rules about how much can change or expand.

3 Or not have rules about how much it can
4 change and expand. You can do that, too, depending on
5 how liberal you want to be.

6 CHAIRPERSON TIMMERMAN: So to get away from
7 the vagueness, we've got to create a bunch of rules
8 here.

9 MS. LAND: Vagueness is probably better.

10 CHAIRPERSON TIMMERMAN: I think so, too.

11 MR. EVANS: I agree.

12 MS. LAND: Because you really have no idea
13 of what could be coming in the door.

14 CHAIRPERSON TIMMERMAN: Right.

15 MS. LAND: If you get too specific, and,
16 then, it starts being, like, This is our list.

17 CHAIRPERSON TIMMERMAN: Right.

18 MS. LAND: We always say, You're not limited
19 to, but that always seems to get lost in the shuffle.

20 MS. PARGEON: Down to the nitpicking.

21 MS. LAND: Yeah. And let them come in and
22 make their case.

23 CHAIRPERSON TIMMERMAN: Okay. All right.

24 No. 4. Mobile homes used to replace an

1 existing mobile home subject to the following
2 conditions:

3 A. Mobile home tongue, wheel, and axles
4 must be removed.

5 B. The mobile home must be placed on a
6 permanent foundation, comprised of not less than
7 poured cement footers having a depth of at least
8 36 inches below the finished grade and a perimeter
9 foundation consisting of 4-inch-wide cement blocks
10 laid with mortar and showing above the finished grade
11 and extending vertically to the bottom of the mobile
12 home unit.

13 C. Title of the mobile home must be
14 surrendered to the county auditor's office so as to
15 change the taxing structure from trailer tax to real
16 estate tax.

17 D. The mobile home shall not be more than
18 5 years old.

19 E. The mobile home shall comply with
20 requirements of Sections 402(1), or (2), whichever is
21 applicable.

22 And F. There shall be provided sufficient
23 storage space to enclose lawn maintenance equipment
24 and other items not typically accommodated in mobile

1 home units.

2 SECRETARY STACY: So in Part B, again,
3 I'm not a builder, but those measurements, does that
4 seem to make sense to you?

5 MR. EVANS: Yeah. 36 inches is the frost
6 line.

7 SECRETARY STACY: So that makes sense?

8 MR. EVANS: Yeah.

9 SECRETARY STACY: Yeah. So that's not
10 really, like, a hardship?

11 MR. EVANS: No, you need that. If you don't
12 do that, you're going to have problems within a few
13 years.

14 MS. PARGEON: It makes it nice with it being
15 that you have the space under it when people that come
16 to work under them. I have a modular home.

17 SECRETARY STACY: Right.

18 MS. PARGEON: They look and see at the
19 ground level, it's looks like it's only two blocks,
20 and it is five blocks high. When you take off the
21 door to go in there, they are so relieved that they
22 have room to work under there.

23 SECRETARY STACY: Okay. Yeah.

24 MS. PARGEON: That is good. That's very

1 good.

2 CHAIRPERSON TIMMERMAN: But this is mobile
3 homes, not modular.

4 MS. PARGEON: It is modular homes, too. The
5 mobile home must be placed on a permanent foundation.
6 Mine is on a permanent foundation.

7 CHAIRPERSON TIMMERMAN: What's the
8 difference? You were going into the differences of
9 modular, mobile, whatever. I can't remember all the
10 different ones right now.

11 MS. LAND: We probably ought to identify the
12 differences in your definitions.

13 MS. PARGEON: Modular homes are prefab.

14 MR. EVANS: Sectional.

15 MS. PARGEON: Two sections.

16 MS. LAND: But they're on a chassis.

17 MS. PARGEON: Yes.

18 MS. LAND: What are the ones that are not on
19 the chassis? They come in big chunks, like the
20 American --

21 MR. EVANS: I think that's modular or
22 sectional.

23 MS. PARGEON: That's modular.

24 CHAIRPERSON TIMMERMAN: Modular or

1 sectional.

2 MS. LAND: How about I work up some
3 definitions for those the next time, and you can put
4 them in your Definitions.

5 SECRETARY STACY: Okay.

6 CHAIRPERSON TIMMERMAN: Okay.

7 SECRETARY STACY: That works.

8 MS. LAND: The ones that come in on a
9 flatbed, they're made with --

10 CHAIRPERSON TIMMERMAN: They're houses.

11 MS. LAND: -- wood. They are a house, but
12 they come in chunks and get stuck together. They have
13 to be on a foundation. They have no foundation or
14 they have a chassis. They have no axle. They have no
15 tongue so they can't be transported without a flatbed.

16 CHAIRPERSON TIMMERMAN: So this is being --
17 mobile home, this is strictly like a trailer?

18 MS. LAND: Well, or a doublewide trailer
19 that comes in two sections, and when you put it
20 together, it looks like a ranch house.

21 MS. PARGEON: Yeah.

22 MS. LAND: Is that what we're talking about?
23 They come in on a chassis each half.

24 CHAIRPERSON TIMMERMAN: So this says mobile

1 homes used to replace existing mobile homes. This
2 is -- it's not an option to --

3 MS. PARGEON: That's like a house trailer.

4 CHAIRPERSON TIMMERMAN: Right. But my point
5 is this is not an option to make that a new
6 construction.

7 MS. LAND: No, it's a replacement.

8 CHAIRPERSON TIMMERMAN: This is only for
9 replacement.

10 MS. PARGEON: Right.

11 MS. LAND: That's what's being said there.

12 MS. PARGEON: You don't want anything older
13 than 5 years old coming in.

14 CHAIRPERSON TIMMERMAN: I get that. I'm
15 saying if you bought a brand new piece of land and you
16 wanted to put one of these on, you cannot do it
17 because it's not already there.

18 Do you want to open it up where a mobile
19 home is allowed as a new build? Is that a thing?

20 MS. PARGEON: Well, people buy them for a
21 now home. You have to put a foundation in.

22 CHAIRPERSON TIMMERMAN: According to this
23 rule here, you can only do it --

24 VICE CHAIRPERSON REHUS: To replace.

1 CHAIRPERSON TIMMERMAN: -- if there is an
2 existing mobile home there.

3 MR. EVANS: You're just updating that.

4 CHAIRPERSON TIMMERMAN: Exactly.

5 MS. LAND: Yeah. They're not providing for
6 any additional or new ones to come in. Only if one
7 needs to be replaced, you know, updating, or whatever.

8 CHAIRPERSON TIMMERMAN: Right. There's a
9 section for mobile home parks later. But this is --

10 MS. LAND: Which you need.

11 CHAIRPERSON TIMMERMAN: This is saying -- I
12 mean, this rule is saying that you could not buy a
13 piece of farmland and put a mobile home on it as a
14 first-time structure on that property.

15 MS. LAND: Do you guys want it to say that,
16 is the question?

17 CHAIRPERSON TIMMERMAN: Right. Slippery
18 slope, right?

19 MS. PARGEON: Well, ours was a house --
20 there was a house there that had burned umpteen years
21 ago, and we just put ours on the place where it was.
22 We leveled it.

23 MS. LAND: It wouldn't be able to be done
24 that way under the way this is reading.

1 MR. EVANS: Although yours is a modular.
2 That's different. That's got a foundation.

3 MS. LAND: It's on a foundation, not a
4 chassis. The one with the chassis goes under the same
5 rules as mobile home, even if it's a doublewide.

6 MR. EVANS: Okay.

7 MS. LAND: At least, the way it's written.

8 SECRETARY STACY: So with zoning, if you
9 wanted to live in a mobile home, it would need to be
10 in a mobile home park. It would not be on a 2-acre
11 parcel.

12 MS. LAND: At least not in an ag district,
13 the way this is written. I don't know what comes up
14 later.

15 SECRETARY STACY: Okay.

16 MS. PARGEON: That's good. That's good.

17 CHAIRPERSON TIMMERMAN: You want to keep it
18 that way, you're saying?

19 MS. PARGEON: Yes. Yes, keep it that way.

20 CHAIRPERSON TIMMERMAN: Any thoughts?

21 FROM THE FLOOR: Keep it that way, just so
22 you don't drive down property value.

23 MS. PARGEON: That's what it would do
24 otherwise.

1 SECRETARY STACY: I understand and I agree
2 with you, but you also will have people say --

3 CHAIRPERSON TIMMERMAN: You're telling me
4 what I can do with my land.

5 SECRETARY STACY: -- you're telling me what
6 kind of house I can have.

7 FROM THE FLOOR: Zoning is just proof that
8 you're going to tell me what to do.

9 MS. PARGEON: No. The zoning is going to
10 help you have a more valuable home.

11 CHAIRPERSON TIMMERMAN: You got any two
12 cents?

13 MR. EVANS: I say leave it.

14 CHAIRPERSON TIMMERMAN: I tend to see it
15 that way too.

16 VICE CHAIRPERSON REHUS: Just keep it.

17 MS. PARGEON: Just keep it.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. PARGEON: Just keep it.

20 CHAIRPERSON TIMMERMAN: But still add the
21 definitions?

22 MS. LAND: Yeah. And the 5 years is a good
23 number for you guys?

24 CHAIRPERSON TIMMERMAN: Sure.

1 MS. PARGEON: Yes.

2 VICE CHAIRPERSON REHUS: Why go through all
3 of that work for a 15-year-old home.

4 MS. PARGEON: Yeah. That would fall apart
5 being transported.

6 SECRETARY STACY: Well, and here's another
7 thought. Say someone had a 6-year-old trailer that
8 was just sparkling, awesome, then you could have a
9 variance and say, Well, that meets -- or not?

10 MS. LAND: Probably not a good idea.

11 MS. PARGEON: Because the wood would be so
12 old in there already.

13 SECRETARY STACY: So that's the integrity of
14 the structure.

15 MS. LAND: We're allowed to have variances.
16 We'll talk about them later. But I always tend to go,
17 Oh, use variances, they are bad. Area variances, they
18 happen. Use variances are a bad idea.

19 SECRETARY STACY: There's a valid reason for
20 5 years. Just leave it at that. It's not just some
21 arbitrary thing.

22 MS. LAND: I have no idea where they got the
23 5 or where it came from or why it's there.

24 CHAIRPERSON TIMMERMAN: I think just trying

1 to keep the value of stuff up probably.

2 MS. PARGEON: Yes.

3 MR. EVANS: Yes.

4 MS. PARGEON: Definitely.

5 CHAIRPERSON TIMMERMAN: Section E. The
6 mobile home shall comply with requirements of Section
7 402.

8 Is that out of this book?

9 MS. LAND: That's this section right here
10 we're in, so it's a single-family accessory to farming
11 operations, single-family attached homes on a 2-acre
12 lot with a minimum of 200 feet.

13 CHAIRPERSON TIMMERMAN: That's just the
14 stuff above. Okay. I think we're good. Everybody
15 good with mobile home?

16 MS. PARGEON: Yeah.

17 SECRETARY STACY: Yeah.

18 CHAIRPERSON TIMMERMAN: No. 8. Accessory
19 buildings in uses customarily incident to any of the
20 above permitted uses.

21 MS. LAND: That's a catch-all we always put
22 in there because there are all kinds of things that
23 you could be building.

24 MR. EVANS: Should that be in No. 5, though,

1 instead of 8?

2 CHAIRPERSON TIMMERMAN: Probably.

3 SECRETARY STACY: Yeah, I would agree with
4 that.

5 MS. PARGEON: Where did 6 and 7 go?

6 MS. LAND: I'm going to reformat all of this
7 eventually anyway.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. LAND: That should be 5.

10 CHAIRPERSON TIMMERMAN: Section 403. Area
11 and Bulk Requirements. See Article XIV, Schedule of
12 Regulations, limiting the height and bulk of
13 buildings. The minimum size of the lots by permitted
14 land use and the maximum density permitted, and
15 providing minimum yard setback requirements.

16 MS. LAND: That's on Page 34. You probably
17 want to look at it for each one of these as we're
18 going through, instead of trying to go back and
19 remember what we were thinking. There's a chart that
20 encompasses all of the different sections.

21 So for agricultural --

22 SECRETARY STACY: That's going to be 250,
23 right?

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MS. LAND: And, now, you're looking at
2 issues regarding maximum height, maximum yard
3 setbacks, floor area, and percentage of lot coverage
4 issues need to be discussed now.

5 CHAIRPERSON TIMMERMAN: Maximum height is
6 30 feet. Again, that's measured to the midway up
7 point of the roof.

8 MR. EVANS: That's probably actually 40 or
9 something.

10 CHAIRPERSON TIMMERMAN: Exactly.

11 MS. LAND: There's an asterisk on that.
12 It's "A," which is, Except for height limitation for
13 farm buildings.

14 CHAIRPERSON TIMMERMAN: So that 30 feet
15 doesn't apply to apartment buildings.

16 MS. LAND: There might be something more in
17 here than just that.

18 MR. EVANS: Grain bins are in that. I would
19 see where that might --

20 MS. LAND: And barns.

21 SECRETARY STACY: Uh-huh. You've have hay
22 lofts for barns.

23 MS. PARGEON: Right.

24 MR. EVANS: The way I see that, a farmer is

1 not going to build a 50-foot-high building unless he
2 needs to. Restrict him on the 30 --

3 CHAIRPERSON TIMMERMAN: The height
4 limitation from 1602 is, The height limitation of this
5 Resolution shall not apply to farm buildings,
6 chimneys, church spires, flag poles, public monuments,
7 or wireless transmission towers, provided, however,
8 that the Board of Zoning Appeals may specify a height
9 limit for any such structure when such structure
10 requires authorization as a Conditional Use.

11 So those are the things that's not applying
12 to.

13 SECRETARY STACY: Okay.

14 CHAIRPERSON TIMMERMAN: So this is basically
15 a house.

16 MS. LAND: Yeah. Your roof -- the roof of
17 your house is 30 feet high. Low? Normal?

18 MR. EVANS: That's high. I mean, you
19 normally figure 10 feet per story.

20 MS. LAND: Okay.

21 MR. EVANS: You have to include half of the
22 roof line in a two-story house, and the roof went up
23 another 10 feet, that would be about 25. So it's a
24 little more liberal than what the 25 would be.

1 MS. LAND: So it really shouldn't stop
2 most -- any conventional home that somebody would want
3 to be building.

4 MR. EVANS: Right.

5 SECRETARY STACY: Okay.

6 MR. EVANS: Assuming the chimney part. I
7 don't know if that's included.

8 MS. LAND: That's an exception.

9 CHAIRPERSON TIMMERMAN: Not included in the
10 height.

11 MR. EVANS: I mean, the chimney that you
12 read, was that only in agricultural?

13 CHAIRPERSON TIMMERMAN: I think that's all.

14 MS. LAND: That's an exception on all of
15 them.

16 MR. EVANS: I can't think that would be a
17 problem.

18 SECRETARY STACY: As far as minimum square
19 footage, 1,000 square feet is quite small.

20 MR. EVANS: There's a trend towards tiny
21 houses.

22 SECRETARY STACY: I understand.

23 MS. LAND: A tiny house on 2 acres, that's
24 kind of weird. The septic system would be bigger than

1 your house.

2 CHAIRPERSON TIMMERMAN: Is everybody good
3 with 30 feet?

4 SECRETARY STACY: I don't see how any of
5 that would be a hardship, I mean, because these are
6 minimum.

7 CHAIRPERSON TIMMERMAN: That's a maximum
8 height. Sorry, I went back.

9 SECRETARY STACY: You went back there.

10 MS. LAND: Yeah. The setbacks, the 40, 20,
11 and the 40, are you guys okay with that? 40 rear yard
12 setback is --

13 CHAIRPERSON TIMMERMAN: That's a tiny rear
14 yard.

15 MS. LAND: But that's the setback of
16 anything you could put to the back line.

17 CHAIRPERSON TIMMERMAN: Oh.

18 MS. PARGEON: All the way across.

19 SECRETARY STACY: You mean like an
20 outbuilding?

21 CHAIRPERSON TIMMERMAN: So if you put a
22 little shed out back, it has to be at least 40 feet
23 off?

24 MS. LAND: Uh-huh.

1 CHAIRPERSON TIMMERMAN: I'd be okay with
2 changing that down to 20, which would be similar to
3 the side; 20, 40. Something different.

4 SECRETARY STACY: Split the difference?
5 Again, it's, like, what makes sense.

6 CHAIRPERSON TIMMERMAN: It's an agricultural
7 district, so more than likely what's behind you is
8 farm field.

9 SECRETARY STACY: Yeah. You shouldn't be
10 encroaching on the neighbor on the back side
11 especially.

12 CHAIRPERSON TIMMERMAN: That's kind of where
13 I'm at.

14 SECRETARY STACY: So do you -- what number
15 are we looking at? Are we looking to bring that
16 number down just a little bit? Do we want to go 3?
17 20?

18 CHAIRPERSON TIMMERMAN: I would bring it
19 down myself.

20 SECRETARY STACY: Okay.

21 CHAIRPERSON TIMMERMAN: I'm okay going down
22 to 20.

23 SECRETARY STACY: Okay.

24 MR. EVANS: I agree.

1 SECRETARY STACY: Okay.

2 CHAIRPERSON TIMMERMAN: You like 20?

3 MR. EVANS: Yeah.

4 VICE CHAIRPERSON REHUS: That's fine.

5 MS. LAND: The front and side is 40 and 20.

6 MR. EVANS: I wouldn't want the front to be
7 lease than 40.

8 MR. SCOTT: Right.

9 SECRETARY STACY: I would agree.

10 MR. EVANS: That's kind of two cars off the
11 road, if you look at it that way.

12 SECRETARY STACY: I think that makes sense.

13 MS. LAND: They're over the minimum floor
14 area per unit.

15 CHAIRPERSON TIMMERMAN: Per unit.

16 SECRETARY STACY: Per home.

17 MS. LAND: In agricultural, that's just one
18 home. You don't have any option for multi-family.

19 CHAIRPERSON TIMMERMAN: Right. So 1,000
20 square feet.

21 MS. LAND: That's not super huge.

22 CHAIRPERSON TIMMERMAN: It's not.

23 VICE CHAIRPERSON REHUS: No.

24 CHAIRPERSON TIMMERMAN: I mean, the only

1 people building smaller than that are like those tiny
2 homes and whatever.

3 MS. LAND: Yeah. You know, ranch houses,
4 though, I mean, if they don't have -- a three-bedroom
5 ranch could come in at, like, 1,200 square feet and
6 still be a relatively -- especially with all the open
7 floor plans and stuff, it's a relatively comfortable
8 home.

9 MR. EVANS: I think that looks good at
10 1,000.

11 CHAIRPERSON TIMMERMAN: I wouldn't go bigger
12 than 1,000 as a minimum. I think 1,000 is okay.

13 MR. EVANS: I agree.

14 CHAIRPERSON TIMMERMAN: Unless people want
15 to make it available for tiny houses.

16 MS. LAND: They can always go bigger than
17 the 1,000. We just can't get them smaller. A tiny
18 house is more like 80.

19 MR. EVANS: Or 760.

20 CHAIRPERSON TIMMERMAN: Is there any way to
21 do it? If somebody really wanted a tiny house in the
22 township, is there -- they've got to find a -- I don't
23 know. How is it possible? Is it possible?

24 MS. LAND: It depends on what you guys

1 write.

2 CHAIRPERSON TIMMERMAN: I mean, I don't see
3 where it's going to be possible, I guess, is where I'm
4 at.

5 MS. LAND: It's not possible in Marion
6 Township because we had that issue. Somebody wanted
7 one, and there was no way they could find to let them
8 do it. There was just --

9 CHAIRPERSON TIMMERMAN: Right.

10 MS. LAND: So it's not possible to have one
11 there.

12 CHAIRPERSON TIMMERMAN: I feel like you're
13 trying to appease a very small population there. Not
14 that I'm trying to write them off. I don't have any
15 problem with them.

16 MR. EVANS: I think 1,000 is fair.

17 CHAIRPERSON TIMMERMAN: Stick with 1,000.

18 MS. PARGEON: Yeah. Definitely.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MS. LAND: And, generally, there's no issue
21 regarding maximum percentage of lot coverage in an
22 agricultural district because a lot of times you have
23 a lot of stuff on the lot, outbuildings and such that
24 would cut into the amount of coverage.

1 CHAIRPERSON TIMMERMAN: How about where
2 people are living in an agricultural district or out
3 in the country, if you wanted to put up an
4 outbuilding, is there any limitation at that point?

5 MS. LAND: You have to make it across the
6 board in the agricultural district for the lot
7 coverage.

8 CHAIRPERSON TIMMERMAN: So there's no lot
9 coverage then?

10 MS. LAND: That's what we have now. That's
11 the way most of them are, because they run into a lot
12 of problems with it, I think, is why. It's general.
13 Let's not do that there.

14 CHAIRPERSON TIMMERMAN: Okay. Everybody
15 good with agricultural?

16 SECRETARY STACY: Yeah.

17 CHAIRPERSON TIMMERMAN: Okay. Article V.
18 RE, Residential Estate Districts.

19 Does anybody else want to read?

20 MR. EVANS: I'll read.

21 SECRETARY STACY: You win.

22 MR. EVANS: Article V, Residential Estate
23 Districts. Section 500. Intent. R.E. Residential
24 Estate Districts are designed to accommodate

1 low-density exurban residential development for those
2 who are willing to live in more remote locations and
3 assume the costs of their own services and amenities.

4 The districts are best suited to land which,
5 for a variety of reasons, cannot be considered prime
6 farmland and land which is so located that service by
7 public water and sewer facilities is unlikely, even in
8 the long term.

9 The districts are designed to conserve the
10 open character of an area and take advantage of the
11 topography and with lots.

12 MS. PARGEON: That's good.

13 MS. LAND: So we're kind of seeing what
14 we're talking about.

15 SECRETARY STACY: Okay. I'm playing devil's
16 advocate here. Is it saying that these Residential
17 Estate Districts, they do not want them -- they cannot
18 be located in prime farm ground? And the definition
19 of prime farm ground.

20 MS. LAND: That sounds subjective. I don't
21 really think we can ever identify that. I think the
22 intent is, if somebody wants to have a cluster of
23 houses that has that package sewer and they do it
24 themselves, it's their own system. Basically it's

1 spots that would never be farmed, like a wooded area
2 that's just, you know, nobody can use it for much of
3 anything or build houses in it, which is a great
4 thing.

5 If they build more than three houses, they
6 are going to have to have a sewer system of their own.
7 If they build less than three houses, they're going to
8 have a terrible time with their septic systems in a
9 wooded lot, but that's beside the point.

10 I don't know why this was put in here. Do
11 you have areas where that would be a potential?

12 MS. PARGEON: Or a real sandy area where
13 nothing else would grow. Nothing worthwhile would
14 grow.

15 MS. LAND: Maybe. It's not in this kind of
16 district, but I don't know if this kind of district
17 existed back when it was developed.

18 Do you know where Shady Grove is in Marion
19 Township? Go past there just a little ways, Hickory
20 Lane. Back in there, there are 15 houses, big lots,
21 all in the woods. They have a circle drive. They had
22 a private system for a long time, now it's public
23 sewer. But, I mean, that kind of location is what we
24 are thinking about.

1 There's one, Spring Lake, in the south part
2 of Findlay. It's not in Findlay. It's part in Eagle
3 and part in Liberty Township. Same thing. They had
4 their own system. The EPA just stomped on them for
5 it. And, now, the City of Findlay is trying to pick
6 them up and fix them.

7 They're not a great thing to have because it
8 turns out to be very, very expensive to maintain their
9 own roads because they are not public roads in there,
10 and to maintain their own facilities in there, and it
11 gets to be very, very expensive.

12 There's a lot of very strict rules by the
13 EPA for what you have to do if you have a package
14 plan. You have to hire an operator and it's
15 expensive.

16 So unless they are big, really costly houses
17 with big budgets associated with them, they don't work
18 out very well. And, as they age and it becomes more
19 affordable houses, the more affordable houses, the
20 owners of affordable houses aren't willing to pay
21 those extra outside costs, and they become a problem
22 to the township.

23 SECRETARY STACY: Is this kind of a
24 standard?

1 MS. LAND: It's not in most of them.

2 SECRETARY STACY: Because I personally have
3 not heard of that Residential Estate District. I've
4 not heard of that before.

5 MS. LAND: Yeah.

6 CHAIRPERSON TIMMERMAN: Reading through
7 others, I haven't seen it pop up in other stuff.

8 MS. LAND: Huh-uh.

9 MS. PARGEON: It's your own little village.

10 CHAIRPERSON TIMMERMAN: I mean, from what
11 you were saying earlier, the EPA, the Regional
12 Planning Committee, they are going to somewhat -- if
13 somebody wanted to take a field and create kind of
14 this, it's already going to be regulated by those
15 types of things.

16 MS. LAND: And you probably will have to
17 make these districts on your map, and you're probably
18 not going to allow these districts on the map in areas
19 that are big open farm ground. You'll find scrub area
20 that can't be farmed, you know, and put it in there.
21 You know, so they could have these kind of -- and,
22 usually, they're going to be too remote to have water
23 and sewer immediately. That's why they would be
24 permitted.

1 I'm not sure if the subdivision regs is
2 really happy with having these kind of things floating
3 out there. I know that we have a plethora of problems
4 with private roads and unpaved roads. They do private
5 subdivisions and they don't pave their roads and, you
6 know, We all built it. We live here. Well, we start
7 selling our house and the new people are, like, Why
8 the heck isn't the township in here taking care of the
9 roads? Because they don't pass along that
10 information. There's a lot of problems with private
11 roads. I think the county engineer is pushing very
12 hard to not permit them, if he can.

13 MS. PARGEON: I don't blame him.

14 MS. LAND: Because he gets the phone calls
15 complaining, wanting to know why they aren't being
16 taken care of.

17 CHAIRPERSON TIMMERMAN: So do we just remove
18 this whole section?

19 MS. LAND: It's an option.

20 CHAIRPERSON TIMMERMAN: I'm okay with
21 removing it.

22 MS. PARGEON: Yeah.

23 MR. EVANS: Most of that stuff is covered by
24 other areas.

1 MS. LAND: Oh, yeah.

2 MR. EVANS: So it's not --

3 CHAIRPERSON TIMMERMAN: Right.

4 MR. EVANS: It's not like it's something
5 you're allowed to do that isn't covered by other
6 sections.

7 CHAIRPERSON TIMMERMAN: Right. Anybody
8 against removing it?

9 VICE CHAIRPERSON REHUS: No.

10 MS. LAND: Makes the book shorter.

11 CHAIRPERSON TIMMERMAN: Just a note to get
12 rid of it out of the table on Page 34.

13 MS. LAND: Uh-huh. Yeah. I don't know if
14 you noticed on the table that the minimum floor area
15 was larger for this kind of home, too.

16 CHAIRPERSON TIMMERMAN: Right.

17 MR. EVANS: Not very much.

18 MS. LAND: I was going to say, yeah. I
19 would expect something larger than that.

20 MR. EVANS: 4,000.

21 SECRETARY STACY: Yeah.

22 MS. LAND: They always forget they've got to
23 clean those.

24 SECRETARY STACY: Ready for Title One?

1 CHAIRPERSON TIMMERMAN: For what?

2 SECRETARY STACY: Are we ready to move on
3 here?

4 CHAIRPERSON TIMMERMAN: That's all part
5 of -- it's going to be a page and a half.

6 MS. LAND: Clear down to Article 6.

7 SECRETARY STACY: Yeah.

8 CHAIRPERSON TIMMERMAN: Deb, you're trying
9 to create more work.

10 SECRETARY STACY: I just don't --

11 MS. LAND: Seems like a lot to take out at
12 one time, but I don't see that you're going to -- by
13 not having that in there, you're not going to create a
14 system where somebody has no place to go, because all
15 these things that are permitted in there have other
16 places they will be permitted in your book.

17 That's one of the things you want to think
18 about. If you're taking something out completely, you
19 don't want to make a situation where somebody has no
20 place to go. That's not --

21 SECRETARY STACY: Okay.

22 MS. LAND: -- going to be sustainable.

23 CHAIRPERSON TIMMERMAN: Want to keep going?
24 You good with it?

1 MR. EVANS: Sure.

2 Article VI. R-1 and R-2, One-Family
3 Residential Districts. Section 600. Intent. The R-1
4 and R-2 One-Family Residential Districts are designed
5 to be the most restrictive of the residential
6 districts.

7 The intent is to provide for an environment
8 of predominantly low-density detached dwellings, along
9 with other residentially related facilities which
10 serve the residents in the district.

11 I'm good with that.

12 Section 601. Principal Uses Permitted. In
13 One-Family Residential Districts, no building or land
14 shall be used, and no building shall be erected unless
15 except for one or more of the following specified
16 uses, unless otherwise provided in this Resolution:

- 17 1. One-Family detached dwellings.
- 18 2. Farms and farming operations.
- 19 3. Publicly owned and operated libraries,
20 parks, parkways, and recreational facilities.
- 21 4. Accessory buildings, structures and uses
22 customarily incident to any of the above permitted
23 uses.

24 MS. LAND: You have farms and farming

1 operations in there because farms are permitted
2 everywhere. We can't take that out of any of them.

3 One of the things that we've run into
4 occasionally in the Residential Districts are that the
5 issues of publicly owned and operated libraries,
6 parks, parkways, and recreational facilities because
7 private recreational facilities are popping up a lot
8 of places. You know, private soccer club facilities,
9 baseball diamonds, or buildings that have, like, the
10 indoor recreation facilities, those mostly are not
11 publicly owned; they are all privately owned.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: So if you want to keep it
14 publicly owned, you can. If you want to make it a
15 little more liberal and give the possibility that
16 somebody could do it as a business in those districts
17 you can change that.

18 SECRETARY STACY: So the word "recreational
19 facility," could that include like a go-cart
20 racetrack? Because I don't think that would be
21 compatible right in the midst of the homes.

22 MS. LAND: Right.

23 SECRETARY STACY: That would be a nuisance.

24 MS. LAND: It would be a nuisance.

1 MS. PARGEON: So would paintball.

2 CHAIRPERSON TIMMERMAN: I think publicly
3 owned, at least, there's -- you know, the township
4 owns it and there's some accountability there.

5 MR. EVANS: Should that be in the
6 Definitions, these recreational facilities? I see
7 recreational vehicles is in the definition.

8 SECRETARY STACY: I would say it should
9 because I could see some things that would be
10 compatible with housing, and I could see some things
11 that would not be compatible.

12 You just got a new term to do.

13 MS. LAND: We'll figure something out.
14 Maybe we can identify two types of recreational
15 facilities.

16 SECRETARY STACY: There you go.

17 MS. LAND: Ones that are offensive and ones
18 that aren't. We'll have to put that a little
19 differently.

20 CHAIRPERSON TIMMERMAN: Right.

21 MS. LAND: You know, some people may not
22 want soccer fields near them. I mean, that could be
23 pretty obnoxious.

24 CHAIRPERSON TIMMERMAN: It brings in a lot

1 of people at one time.

2 MS. LAND: Uh-huh.

3 CHAIRPERSON TIMMERMAN: Right.

4 MS. LAND: Soccer moms can be vicious. Been
5 there; done that. My kids are grown now.

6 MR. EVANS: Should we go to 602?

7 FROM THE FLOOR: (Unintelligible).

8 MS. LAND: Those things are awesome inside.
9 If you're in there when it snows, they start vibrating
10 to make the snow fall off. It's the craziest thing.

11 MS. PARGEON: Where is that?

12 MS. LAND: In Perrysburg. Those big domes.
13 My kid was in high school, so his games were at, like,
14 midnight until 2:00 in the morning because the big
15 boys couldn't play late because the facilities are so
16 full. So I had to go and drive because I didn't want
17 the kid on 75 at 2:00 in the morning.

18 MR. EVANS: Ready for section 602?

19 MS. LAND: Yeah.

20 MR. EVANS: Section 602, Principal Uses
21 Permitted Subject to Special Conditions. The
22 following uses shall be permitted subject to the
23 conditions hereinafter imposed for each use and
24 subject further to the review and approval of the

1 zoning commission:

2 1. Uses permitted in A-1 Agricultural
3 District as uses permitted subject to special
4 conditions, except home businesses subject to the
5 conditions stated therein.

6 I'm not sure what that says.

7 MS. LAND: They're sort of everything that
8 was allowed in agricultural under special conditions
9 is permitted here, except home businesses. So they
10 don't want to permit home businesses at all in the
11 residential areas. Home occupations yes; home
12 businesses, no.

13 MR. EVANS: That might be a case by case.

14 MS. LAND: You can add home businesses to
15 the -- well, they say special conditions, and they are
16 permitted with the conditions that you give them. Not
17 that they can be told no. There is that difference.

18 MR. EVANS: Just wondering what is the range
19 of home businesses, this to this.

20 MS. PARGEON: You don't want the drugs being
21 sold there.

22 FROM THE FLOOR: Don't want tattoo parlors.

23 MS. PARGEON: Tattoo parlors.

24 FROM THE FLOOR: You're going to have random

1 people walking in for a tattoo.

2 MS. LAND: Well, they wouldn't be able to
3 for home business because they can't do anything
4 that's retail or has people coming and going.

5 MR. EVANS: What would that include?
6 Examples maybe.

7 CHAIRPERSON TIMMERMAN: Home businesses
8 outside of the actual dwelling, right?

9 MS. LAND: Yeah. Somebody has a repair shop
10 in his garage and does -- tinkers with people's cars
11 for them; a woodworking shop; furniture refinishing
12 places. I'm trying to think of things that people do.

13 MS. PARGEON: Where the public runs in and
14 out all the time.

15 MS. LAND: Well, no, it wouldn't be because
16 it would be --

17 MS. PARGEON: Well, they bring stuff to be
18 worked on.

19 MR. EVANS: Everything you've said so far,
20 to me, nothing is offensive.

21 MS. LAND: Something in your neighbor's
22 garage. Yeah.

23 MR. EVANS: What might be offensive to me
24 might not be --

1 CHAIRPERSON TIMMERMAN: But you'd have
2 customers' cars parked there.

3 MR. EVANS: Yeah. The repairs.

4 MS. LAND: Home businesses, you can't have a
5 home business that has the public coming to it. You
6 have to go do it.

7 MS. PARGEON: Set up somewhere else.

8 MS. LAND: You have to get it and bring it
9 back to do work on it.

10 MR. EVANS: So like repairing a dresser or
11 something.

12 MS. LAND: You can't have the kind of
13 business where you'll have the public walking in and
14 out.

15 SECRETARY STACY: That would be a bit just
16 under the business.

17 MS. LAND: There have been some questions
18 of, like, art classes. Yeah. They aren't a home
19 business because they end up with, like, 15 cars
20 parked in the driveway while people are coming for
21 these classes regularly. That wouldn't be permitted.

22 MS. PARGEON: That makes sense.

23 CHAIRPERSON TIMMERMAN: Can you add, like,
24 that little detail to the home business definition?

1 MS. LAND: I think it is in there.

2 CHAIRPERSON TIMMERMAN: Well, like, the --

3 MR. EVANS: Page 6.

4 SECRETARY STACY: There you go.

5 MS. LAND: Yeah. I guess maybe you're
6 right. You could --

7 CHAIRPERSON TIMMERMAN: Calling out the
8 people coming to the property basically.

9 MS. LAND: I'm kind of thinking that
10 somebody who has a hair salon in their house is
11 considered a home business and that will have people
12 coming and going. So a tattoo parlor might be
13 something really to deal with.

14 FROM THE FLOOR: Even photography or baking.
15 You could have baked goods, people go in and out of
16 your house.

17 MS. LAND: Oh, yes.

18 CHAIRPERSON TIMMERMAN: I'm not against most
19 of those businesses, you know. How do you create
20 conditions for all of them?

21 MR. EVANS: Right.

22 MS. LAND: Well, you can create conditions
23 that they need to have adequate off-street parking, if
24 they're going to have people coming in to have their

1 hair done. There might be three or four people there
2 coming through and they need to be able to have all of
3 them off the street.

4 You can have it so that they have to have
5 screening, if it's something they are doing that could
6 be visible to the neighbors, that they have to have
7 some sort of fencing or screening. If they need
8 lighting for it, that the lighting has to be placed so
9 it only -- it doesn't impact the neighbors' yards.

10 CHAIRPERSON TIMMERMAN: Right.

11 MS. LAND: Like Kevin's stadium next door,
12 you really don't want that.

13 MS. PARGEON: You've got stuff on Page 36
14 about off-street parking and different things.

15 MR. EVANS: What section is that under?

16 MS. PARGEON: Let's see. 1401.

17 MR. EVANS: I'm wondering what that's in
18 regard to.

19 CHAIRPERSON TIMMERMAN: There's a whole huge
20 section.

21 MS. LAND: Business Districts.

22 CHAIRPERSON TIMMERMAN: There's like eight
23 pages of parking.

24 MS. PARGEON: Off-street parking.

1 MS. LAND: This one on Page 36 is a footnote
2 on the chart under Business Districts for where they
3 are allowed to have their off-street parking and front
4 setbacks and stuff like that.

5 CHAIRPERSON TIMMERMAN: So, right now, it
6 says, Except home businesses. Are people in favor of
7 including home businesses, or are we --

8 SECRETARY STACY: I mean, for the most part,
9 I think it can make sense that you would probably have
10 to attach conditions.

11 CHAIRPERSON TIMMERMAN: Yeah.

12 MS. LAND: And this is in the Special
13 Conditions Section.

14 MR. EVANS: I guess, the bottom of that, one
15 of the definitions, Homes businesses shall be clearly
16 incidental and secondary to the use of the premises
17 for dwelling purposes. It shall not change.

18 SECRETARY STACY: Right.

19 MR. EVANS: So it's like --

20 SECRETARY STACY: It definitely has to be a
21 residential home, first and foremost.

22 MR. EVANS: If you're doing tattoos, you're
23 not going to have 20 cars.

24 MS. LAND: If you live upstairs and have

1 your studio downstairs.

2 MR. EVANS: Right. The other thing, I
3 wonder, when it says, No commodities shall be sold,
4 nor mechanical equipment used, what's defined as
5 mechanical equipment?

6 MS. LAND: It's mechanical equipment that
7 has its impact outside of the -- so they can't use,
8 like, a press or something that makes a loud noise
9 that will, you know, bother the neighbors.

10 MR. EVANS: I can see someone wanting to cut
11 hair and that's legal and things like that. I think
12 that's good. That's okay. But what's the distinction
13 between that and a tattoo parlor? Do you see what I'm
14 saying? What if they are both?

15 MS. LAND: It may be something that you do
16 find acceptable, or something that you don't find
17 acceptable. That's a personal opinion. It doesn't
18 have anything to do with what kind of business it is.

19 MR. EVANS: And what's going on.

20 MS. LAND: That can't come into what you're
21 doing when you're regulating.

22 SECRETARY STACY: If you're really that home
23 business, there could be a lot of traffic coming in
24 and going out, too.

1 MR. EVANS: At that point, then, is it
2 incidental to what the primary use of that building
3 is, since it's residential? Do you know what I'm
4 saying? This is supposed to be a house.

5 CHAIRPERSON TIMMERMAN: Right.

6 MR. EVANS: There's this much house and this
7 much --

8 CHAIRPERSON TIMMERMAN: How do you prove
9 which one is the primary purpose?

10 MR. EVANS: Is it square footage?

11 MS. LAND: How are you going to ever know?
12 You can't go back in and check.

13 MR. EVANS: I'm just bringing up things.

14 MS. LAND: We're still -- there's a zoning
15 inspector and zoning in general is still regulated by
16 the Fourth Amendment, that's searches and seizures.
17 You can't search any place that you aren't invited
18 into without probable cause to do that.

19 MR. EVANS: I don't want to make things more
20 restrictive, but we want to make it good for the whole
21 of the township.

22 SECRETARY STACY: Right. It gets
23 challenging.

24 MS. LAND: Do you have many home businesses

1 going on now? Because, you know, you have a good
2 number of residents and a number of clusters of
3 residential areas. Do you have anything that is a
4 problem or that people complained about, or that's --
5 It may be something that you're looking at shadows
6 that may not really be an issue.

7 MR. EVANS: Leave it alone.

8 MS. LAND: It's up to you guys.

9 CHAIRPERSON TIMMERMAN: If we leave it
10 alone, it says, Except home businesses.

11 MS. LAND: Then it's not permitted.

12 CHAIRPERSON TIMMERMAN: So do we want to
13 remove it at this point? I feel like nobody's got a
14 strong opinion.

15 MR. EVANS: I say remove it.

16 FROM THE FLOOR: I think it should be
17 allowed.

18 CHAIRPERSON TIMMERMAN: If we're not having
19 an issue with it right now, I don't necessarily have
20 an issue with allowing them.

21 MR. EVANS: I agree.

22 CHAIRPERSON TIMMERMAN: Again, it's a living
23 document.

24 MR. EVANS: The only thing I can think of is

1 I'm trying to think of anything out there that I'm
2 just saying, okay, if you have somebody who watched
3 dogs, and they have 20 kennels outside, you live next
4 to that, and they also lived on the property. But I
5 don't know if there's --

6 MS. LAND: Doggy Daycare.

7 MR. EVANS: Yeah.

8 SECRETARY STACY: That could be very
9 annoying.

10 MR. EVANS: I could see one person having a
11 grooming business where they can take care of eight or
12 ten dogs a day, and maybe you could have another
13 person. But that, to me, is completely different --

14 MS. PARGEON: That's a lot quieter.

15 SECRETARY STACY: Those dogs are coming and
16 going.

17 MS. LAND: One of the things with the home
18 business and the home occupation, it's exclusively by
19 somebody living in the house, so they can't have
20 employees.

21 MR. EVANS: Okay.

22 MS. LAND: That's where it goes from being a
23 home business to a business. Once you start employing
24 people to come in and work with you, it changes the

1 scope.

2 SECRETARY STACY: That's true.

3 MR. EVANS: It's different if somebody says,
4 Hey, I do this myself, I watch a dozen dogs a day.

5 MS. LAND: A lot of people do that.

6 CHAIRPERSON TIMMERMAN: To your point, is it
7 a problem right now? I don't think it is. And all of
8 those are already grandfathered in, so I'd probably
9 just remove it.

10 MR. EVANS: Remove "except home businesses."

11 CHAIRPERSON TIMMERMAN: I'd remove "except
12 home businesses" from that statement.

13 MS. LAND: Everything that's in the
14 agricultural list will be include in that
15 No. 1 paragraph. The "subject to special conditions
16 in the agricultural above," the section above all
17 that, then, is incorporated into this first paragraph.
18 And, then, you start in on the new stuff for paragraph
19 2.

20 CHAIRPERSON TIMMERMAN: Yeah, I think so.

21 MR. EVANS: So it's less restrictive.

22 CHAIRPERSON TIMMERMAN: Yes.

23 SECRETARY STACY: So you're crossing out --

24 CHAIRPERSON TIMMERMAN: "Except home

1 businesses."

2 MR. EVANS: Churches and other facilities
3 normally incidental --

4 MS. LAND: Wait a minute. Before you go on.
5 One of the things in the agricultural section is that
6 mobile home thing.

7 CHAIRPERSON TIMMERMAN: It's existing.

8 MS. LAND: Right.

9 CHAIRPERSON TIMMERMAN: So what --

10 MS. LAND: Do you want it so that
11 residential areas, if they get to where they can't
12 stay there, they have to go? They can't put a new one
13 back on?

14 MS. PARGEON: I'd say let them put a new one
15 back on.

16 CHAIRPERSON TIMMERMAN: I think if it's
17 already there, it's existing.

18 MS. PARGEON: They've got to get rid of the
19 old one and bring in a new one.

20 MS. LAND: The flip side of that argument of
21 not letting them put another one back on is, then,
22 they keep the one that's delapidated.

23 MS. PARGEON: Right.

24 MS. LAND: And they're unable to update it.

1 MR. EVANS: Because they've got the
2 investment of the well and septic.

3 MS. PARGEON: Sure.

4 MR. EVANS: Whatever.

5 MR. SCHIMMOELLER: When they've added on to
6 them, if they have a house trailer, when they add on
7 to them. That happens a lot.

8 MS. PARGEON: It's in here. I read it.

9 MR. EVANS: Churches and other facilities
10 normally incidental thereto are subject to the
11 following conditions:

12 A. Buildings of greater than the maximum
13 height allowed in Article XIV.

14 MS. LAND: Yeah. Schedule.

15 MR. EVANS: Schedule of Regulations may be
16 allowed provided the front, side, and rear yards are
17 increased by above the minimum required yards by
18 1 foot for each foot of building height that exceeds
19 the maximum height allowed.

20 MS. LAND: So that's 10 feet tall and it
21 should be they have to have an extra 10 feet of
22 setback.

23 CHAIRPERSON TIMMERMAN: In all directions.

24 MS. PARGEON: All the way around.

1 MS. LAND: Basically so you don't end up
2 with The Washington Monument.

3 MS. PARGEON: Makes sense.

4 MR. EVANS: Everybody good with that?

5 MS. PARGEON: Yeah.

6 CHAIRPERSON TIMMERMAN: I think so.

7 MR. EVANS: 3. Public, parochial, and
8 private elementary, intermediate, and/or secondary
9 school, offering courses in general education, not
10 operated for profit.

11 4. Utility and public service buildings and
12 uses, without storage yards, when operating
13 requirements necessitate the locating of said building
14 within the district in order to serve the immediate
15 vicinity.

16 5. Colleges, universities, and other such
17 institutions of higher learning, public and private,
18 offering courses in general, technical, or religious
19 education, and not operated for profit, all subject to
20 the following conditions:

21 A. No building shall be closer than 30 feet
22 to any property line.

23 B. Buildings of greater than the maximum
24 height allowed in Article XIV, Schedule of

1 Regulations, may be permitted provided that front,
2 side, and rear yards are increased by above the
3 minimum required yard by 1 foot for each foot of
4 building height that exceeds the maximum height
5 allowed.

6 6. Private pools shall be permitted as an
7 accessory use within the rear yard only, provided they
8 meet the following requirements:

9 A. Private pools shall not require zoning
10 commission review and approval.

11 B. There shall be a minimum distance of not
12 less than 10 feet between with the adjoining property
13 or alley right-of-way and the outside of the pool
14 wall. Side yard setbacks shall apply to side yards if
15 greater than 10 feet.

16 C. There shall be a distance of not less
17 than 4 feet between the outside pool wall and any
18 building located on the same lot.

19 D. No swimming pool shall be located less
20 than 35 feet from the front lot line.

21 E. No swimming pool shall be located in an
22 easement.

23 That's good.

24 MS. PARGEON: Yeah. That's a real good

1 idea.

2 MR. EVANS: For protection of the general
3 public, all swimming pools shall be completely
4 enclosed by a fence not less than 4 feet in height.
5 The gates shall be of a self-closing and latching
6 type, latch on the inside of the gate, not readily
7 available for children to open.

8 Gates shall be capable of being securely
9 locked when the pool is not in use for extended
10 periods, provided, however, that, if the entire
11 premises of the residence is enclosed, then, this
12 provision may be waived by the zoning inspector upon
13 inspection and approval.

14 7. Cemeteries, which --

15 CHAIRPERSON TIMMERMAN: Do we want to
16 discuss any of the pool stuff?

17 SECRETARY STACY: I will just say, I reached
18 out to someone in an insurance agency and, for
19 insurance, for liability purposes, if you have a pool,
20 it must be fenced.

21 VICE CHAIRPERSON REHUS: Do you think that's
22 high enough, 4 foot?

23 SECRETARY STACY: Yeah. Well, that's a
24 question. She didn't actually specify a height. She

1 just said there's no question. It will be fenced.
2 And, then, they also suggest like \$1 million in
3 liability coverage just because, technically, it's an
4 attractive nuisance. If you want to -- I mean,
5 legally --

6 MS. PARGEON: That's what it is.

7 SECRETARY STACY: Because if you would have
8 a child or someone that didn't have the reasoning to
9 understand that even --

10 MS. LAND: Even if they're trespassing, if
11 they die in your pool, you're liable.

12 SECRETARY STACY: That's probably why the
13 \$1 million liability, if you have a pool.

14 FROM THE FLOOR: A 4-foot high fence is the
15 industry standard.

16 SECRETARY STACY: Is it standard? That's
17 probably why they went with that number.

18 CHAIRPERSON TIMMERMAN: Okay. The first
19 thing says, Private pools shall not require zoning
20 commission review and approval. That means you do not
21 need a permit?

22 MS. LAND: Oh, no. You need a permit. It's
23 just that the zoning inspector does it. You don't
24 have to come before this board to get special

1 conditions. All of the special conditions are already
2 laid out in the book.

3 CHAIRPERSON TIMMERMAN: Okay.

4 MS. LAND: Yeah. So in order to have all
5 these special conditions that are different than what
6 everything applies to everything, it had to be under
7 the Special Conditions Section. But, usually, that
8 means they have to come before you guys and you review
9 it and decide if it's okay.

10 But for every pool, as long as they fit this
11 list of stuff, the zoning inspector can say yes
12 without you guys having to convene.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: Unless you want to. You can take
15 that out.

16 CHAIRPERSON TIMMERMAN: No.

17 MS. PARGEON: No, thanks.

18 MS. LAND: We'll want to revisit that by the
19 time we're done with the book. You're like, No, no.
20 Let him do it.

21 CHAIRPERSON TIMMERMAN: Okay. Does anybody
22 else have any other thoughts on pools? Okay.

23 MR. EVANS: 7. Cemeteries which lawfully
24 occupied land at the time of adoption of this

1 Resolution.

2 8. Home occupations subject to such
3 conditions as the zoning commission deems necessary to
4 protect the value of adjoining properties.

5 CHAIRPERSON TIMMERMAN: Would this be the
6 place you would do home occupations and home
7 businesses?

8 MS. LAND: You could. Except home
9 businesses is already covered up there where you took
10 it out of the first -- that exception, because it's in
11 that section that came down from agricultural.

12 CHAIRPERSON TIMMERMAN: Okay. Perfect.

13 SECRETARY STACY: Because the home
14 occupation, that would be, like, you're employed, but
15 you're working at home in front of a computer.

16 MS. LAND: There are so many more now than
17 there ever used to be since COVID.

18 SECRETARY STACY: Yeah.

19 MS. LAND: The work-from-home people.

20 SECRETARY STACY: Right. That's not going
21 to impact your neighbors in any way.

22 MR. EVANS: Most people wouldn't know.

23 SECRETARY STACY: Yeah. You wouldn't even
24 know. Right.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MR. EVANS: 9. Accessory buildings,
3 structures, and uses customarily incident to the above
4 permitted uses.

5 Section 603. Area and Bulk Requirements.

6 See Article XIV, Schedule of Regulations,
7 limiting the height and bulk of buildings, minimum
8 size of lot by permitted land use, maximum density
9 permitted, and providing minimum yard setback
10 requirements.

11 MS. LAND: Page 34. One-Family Residential,
12 R-1. You've already kind of covered that issue that
13 you discussed about the sanitary sewer being --
14 because, in here, it's 15,000 square feet. How many
15 square feet are in 2 acres?

16 MR. EVANS: About 86,000 or so.

17 MS. LAND: Okay.

18 MR. EVANS: I thought it was 43,000 and
19 some.

20 CHAIRPERSON TIMMERMAN: 43,560. I looked
21 that up earlier. I'm not that big of a nerd.

22 MR. EVANS: What are you saying?

23 (Laughter.)

24 MS. LAND: Yeah, really.

1 MR. EVANS: That's a third.

2 MS. LAND: I don't think that what we had
3 gone through in this chart -- okay. Yes, we do.
4 I'm confusing myself. I'm getting tired.

5 In R-1 Residential, you're permitting lots
6 that are 15,000 square feet, unless they are not
7 capable of having water and sewer, they have to be 2
8 acres.

9 MR. EVANS: Also that's less than a third of
10 an acre.

11 MS. LAND: Those are small lots that are
12 being permitted.

13 MR. EVANS: So you could have areas where
14 there is going to be smaller -- if they are having
15 access to water and sewer, they can be smaller lots.
16 That's quite a bit smaller.

17 MS. LAND: Yeah. When you're looking at
18 your map, you're going to have to look at those places
19 where you know that there is sewer access and people
20 already have lots, and those are the places you're
21 going to want to mark as R-1 Residential. That's
22 what's permitted there.

23 I wish we had the map here already because
24 that would be helpful to do this all of the way along.

1 We'll do it on Tuesday. I mean Monday. It's Monday,
2 right?

3 VICE CHAIRPERSON REHUS: Yeah.

4 SECRETARY STACY: You're saying 1,500. I'm
5 seeing 14,000.

6 MS. LAND: 15,000.

7 SECRETARY STACY: Oh, all right. Sorry.

8 MS. LAND: And, then, when you go over to
9 the notes to Schedules C and D, C is in an instance
10 where public sanitary sewers and water systems are not
11 provided, lots shall be at least 2 acres in an area at
12 least 200 feet in width.

13 And then D is under Planned Unit
14 Developments, and that's a different animal all
15 together. We'll get to that in a little while. You
16 may not want those. You may want them. It's where
17 you have mixed uses in one area. Residential,
18 Business, all mixed in.

19 Have you ever been up to Sylvania and go
20 past that place that looks like Mayberry? It has all
21 the shops and everything and all of the apartments and
22 stuff on top? That's a Planned Unit Development.
23 It's got lots of business in it. It's also got
24 residential. There are some condos back behind it and

1 some houses.

2 SECRETARY STACY: Like a walkable --

3 MS. LAND: Yeah. Walkable neighborhoods.

4 Yeah. You'll decide if you want those later. We are
5 not there yet.

6 MR. EVANS: So we're done with 603?

7 CHAIRPERSON TIMMERMAN: Is there anything to
8 discuss on this chart?

9 MS. LAND: Lot width is only 100 there.

10 CHAIRPERSON TIMMERMAN: In 75 with R-2.

11 MS. LAND: Yeah. And 30 for -- oh, yeah.
12 Both of them, 15 and 10. 75 feet wide for a lot is
13 really pretty skinny.

14 CHAIRPERSON TIMMERMAN: Tiny.

15 MR. EVANS: For a house, it's going to be at
16 least 50. If you take 20-foot setbacks on each side,
17 then, that's -- unless they build the house that's
18 like a shotgun. It would be hard to do that --

19 MS. LAND: Yeah.

20 MR. EVANS: -- with the setbacks.

21 MS. LAND: Well, on this one, the setbacks
22 are -- for R-1, it's 35 in the front, 12 on the sides,
23 and 35 in back.

24 MR. EVANS: So 24 off of 75 leaves 50.

1 MS. LAND: It's only 16 off 75 because they
2 are 8 feet.

3 MR. EVANS: You were talking R-1 or R-2?

4 MS. LAND: R-2 is 8 feet. R-1 is 12 feet.

5 If we have 8-foot setbacks, you could have
6 houses that are 16 feet apart.

7 MR. EVANS: Close.

8 MS. LAND: Uh-huh. I've got a kid with
9 really long arms; he could probably reach out.

10 I don't know if you have areas where that's
11 going to be advantageous to build that way. Is it
12 something that you don't want to have anything that's
13 that small?

14 CHAIRPERSON TIMMERMAN: The other part is
15 that 10,000 square foot, that's less than a quarter of
16 an acre. That's a pretty small lot again.

17 MS. LAND: They can only have it that small
18 if they have sanitary sewer; otherwise, they have to
19 have 2 acres even in that area.

20 CHAIRPERSON TIMMERMAN: Right.

21 SECRETARY STACY: Are we required to have
22 R-1, R-2, and RM-1? Are we required to have each one
23 of those?

24 MS. LAND: You probably need RM-1 and one of

1 the R-1 or R-2, combine them, or whatever.

2 SECRETARY STACY: Okay.

3 MS. LAND: You really do have to have a
4 place for multi-family, and you have to identify the
5 R-1 for one-family. But you don't have to have them
6 broken down into different kinds of areas.

7 CHAIRPERSON TIMMERMAN: R-2 is just tiny.

8 SECRETARY STACY: Could we take R-2 out? Do
9 we think R-1 can address, and, then, also have the
10 RM, the multiple?

11 I guess I'm questioning if we need those
12 two -- both of those designations, R-1 and R-2. Do
13 you think we need both of those? Is there a purpose
14 to have both?

15 CHAIRPERSON TIMMERMAN: I don't think we
16 need both. But the minimum floor area for R-1 is
17 1,400 square feet, so would you take that number down
18 if somebody wanted to build a smaller house?

19 MR. EVANS: I would because, as you said,
20 there are a lot more efficient houses to be get a
21 three-bedroom.

22 CHAIRPERSON TIMMERMAN: Right.

23 SECRETARY STACY: Or the lot is going to be
24 slightly larger in the R-1, correct?

1 MS. LAND: Yes.

2 CHAIRPERSON TIMMERMAN: Currently larger.
3 Yeah.

4 SECRETARY STACY: A little bit larger. And
5 if we took the minimum floor area and took it down
6 just a little bit, then it wouldn't be as -- they
7 wouldn't be on top of each other. They still would be
8 small.

9 CHAIRPERSON TIMMERMAN: Yeah.

10 MR. EVANS: There's not much of a change.
11 It seems like what we're doing, we're being less
12 restrictive in one area. In the other area, the lots
13 are going from a third of an acre to a fourth or from
14 a fourth of an acre to a third of an acre roughly.

15 MS. LAND: A third of an acre isn't that
16 tiny a lot.

17 MR. EVANS: No.

18 MS. LAND: You can still have a -- as long
19 as you don't have wide setbacks on the side, you can
20 still have a relatively descent size home on it.

21 If you have even, like, a 12-foot setback or
22 10, split the difference between the 8 and 12 and make
23 it 10, if you want. Maybe go to a
24 1,200-square-foot-house minimum instead of 14. Then

1 you're still allowing for the --

2 CHAIRPERSON TIMMERMAN: You're the builder,
3 right?

4 MS. LAND: -- less expensive kind of --

5 MR. EVANS: As a hobby.

6 CHAIRPERSON TIMMERMAN: Is a quarter of an
7 acre too small of a lot?

8 MR. EVANS: They are in town. When you see
9 a city lot, that's --

10 CHAIRPERSON TIMMERMAN: If we combine
11 them --

12 MS. LAND: Is that a quarter?

13 CHAIRPERSON TIMMERMAN: If we would combine
14 them, would you say a quarter-of-an-acre lot would be
15 the minimum, like, instead of the third?

16 MR. EVANS: A quarter of an acre would be
17 barely over 10,000 square feet.

18 CHAIRPERSON TIMMERMAN: Right.

19 MR. EVANS: I mean, you could do that.

20 MS. LAND: With frontage, do you want to
21 stay with 100 instead of the 75? That's really
22 skinny.

23 CHAIRPERSON TIMMERMAN: 75 is super skinny.

24 MR. EVANS: 75, you couldn't have a

1 side-load garage. There's no way you could do that.
2 100 is pushing it.

3 CHAIRPERSON TIMMERMAN: Right. I think I
4 would stick with the 100 and the 12 on each side, just
5 to give you --

6 SECRETARY STACY: Okay.

7 CHAIRPERSON TIMMERMAN: I was trying to be
8 the least restrictive.

9 MS. LAND: Height still is 30. That's fine.

10 MR. EVANS: Yeah. So R-1, we are staying --

11 CHAIRPERSON TIMMERMAN: Are we going to get
12 rid of R-2? Is that the plan?

13 SECRETARY STACY: I think that's where
14 you're going, isn't it?

15 CHAIRPERSON TIMMERMAN: Do people like that
16 idea, before we keep going?

17 MR. EVANS: They are so close, I think. I
18 mean, a third of an acre, fourth of an acre.

19 CHAIRPERSON TIMMERMAN: Right.

20 MR. EVANS: If we take the square footage
21 from the one and move it to the other --

22 SECRETARY STACY: Okay.

23 MR. EVANS: -- that helps.

24 SECRETARY STACY: So R-1 is going to be

1 1,200 instead of 14. Is that what you're saying?

2 MS. LAND: 25 percent maximum lot coverage.

3 SECRETARY STACY: Yeah.

4 MR. EVANS: So, at that point, what do you
5 want to do for the setbacks? Is R-1 still 10,000?

6 MS. LAND: R-1 is 15,000.

7 MR. EVANS: We want to keep it at that?

8 MS. LAND: Keep it at 15.

9 CHAIRPERSON TIMMERMAN: Or do you want to go
10 to the 10?

11 MR. EVANS: 10 would be less.

12 CHAIRPERSON TIMMERMAN: The panel is shaking
13 their head "No."

14 FROM THE FLOOR: I live in a neighborhood
15 where all of the houses are butted up against the
16 other. It sucks.

17 SECRETARY STACY: Keep the 15.

18 CHAIRPERSON TIMMERMAN: Keep the 15.

19 MS. LAND: 12-foot setbacks, which would
20 make the houses 24 feet apart.

21 CHAIRPERSON TIMMERMAN: I think that's way
22 better than 16.

23 SECRETARY STACY: I do, too.

24 MR. EVANS: That would be the minimum.

1 MS. LAND: Rear and front yards are 35 feet?

2 CHAIRPERSON TIMMERMAN: In the R-2, the
3 road -- the front is 30 and the rear is 35. So the 35
4 matches still. It's a matter of whether you want it
5 closer to the front.

6 MR. EVANS: R-1 is the same, except for
7 changing the minimum floor area?

8 SECRETARY STACY: At this point.

9 CHAIRPERSON TIMMERMAN: Yeah.

10 MS. LAND: So the question is about front
11 and backyard setbacks.

12 SECRETARY STACY: The choice is either 30 or
13 35 feet.

14 CHAIRPERSON TIMMERMAN: I don't think 5 feet
15 is a big difference to me.

16 MR. EVANS: If you had two cars in the
17 driveway, they would be bumper to bumper, and the road
18 would be right there.

19 And, see, think about what we are doing.

20 SECRETARY STACY: 35.

21 MS. LAND: Keep it at the larger lot size.
22 So at 35, there would be room for it.

23 MR. EVANS: We're talking about is there
24 going to be water and sewer available. And when I

1 look on that map, water and sewer is only available on
2 Main Street, and, of course, in the village, but we
3 don't care about that.

4 MS. LAND: It's available down a lot of the
5 side roads off 220.

6 MR. EVANS: Is it?

7 MS. LAND: Like, Garfield and all those
8 streets.

9 MR. EVANS: Now, is that actually in the
10 city, though?

11 MS. LAND: Huh-uh.

12 SECRETARY STACY: No. That's township.

13 MR. EVANS: Where is Garfield?

14 MS. LAND: There are several smaller, like,
15 one block, and then there is a --

16 MR. EVANS: Right by Whirlpool.

17 SECRETARY STACY: Yeah.

18 MS. PARGEON: Griffith Heights.

19 MS. LAND: Yes.

20 SECRETARY STACY: Okay.

21 CHAIRPERSON TIMMERMAN: It's R-1, except for
22 the 1,200-square-foot minimum floor area.

23 MR. EVANS: Less restrictive.

24 MS. LAND: It is.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MR. EVANS: Are we ready to start Article
3 VII.

4 MS. LAND: Do you want to do another one
5 because you're past two hours already?

6 MR. EVANS: Okay.

7 CHAIRPERSON TIMMERMAN: Come on, Cindy.
8 Nobody likes a quitter.

9 MS. PARGEON: Just a little bit longer.

10 MS. LAND: I pulled into my office at 7:30
11 this morning.

12 MR. EVANS: Probably better look and see how
13 long that article is before we get started on it.

14 SECRETARY STACY: Where are we at?

15 MR. EVANS: It's two pages, Page 18. Bottom
16 of 18. Is that for the next time?

17 MS. LAND: That's up to you guys.

18 CHAIRPERSON TIMMERMAN: RM-1 ends at 19.

19 MR. EVANS: What are you saying, boss?

20 CHAIRPERSON TIMMERMAN: Listen, I don't
21 care.

22 MS. LAND: If we do RM-1 now, we'll get
23 through all of the residential type things tonight.

24 SECRETARY STACY: All right.

1 MR. EVANS: Speed read.

2 Article VII. RM-1, Multiple-Family
3 Residential Districts. Section 700. Intent. The
4 RM-1 Multiple-Family Residential Districts are
5 designed to provide sites for multiple-family
6 dwellings, structures, and related uses which will
7 generally serve as zones of transitions between the
8 non-residential districts and lower-density,
9 single-family districts.

10 The Multiple-Family District is further
11 provided to serve the limited needs for the apartment
12 type of unit in an otherwise medium-density,
13 single-family community.

14 Section 701. Principal Uses Permitted.

15 In Multiple-Family Residential Districts, no
16 building or land shall be used and no building shall
17 be erected unless for one or more of the following
18 specified uses, unless otherwise provided in this
19 resolution:

20 1. All uses permitted and as regulated in
21 the R-2, One-Family, Family Residential District.

22 MS. LAND: We don't have R-2 anymore. Do
23 you want to put R-1?

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MR. EVANS: 2. Multiple-Family Dwellings.

2 3. Convalescent homes.

3 4. Accessory buildings and uses customarily
4 incident to any of the above permitted uses.

5 Good to go?

6 MS. LAND: We need to figure out where
7 condominium setups would need to be. Sometimes they
8 are multi-family buildings. Sometimes they are
9 individual buildings that are still in a condo
10 association and they are on one lot. So I'm not sure
11 where they fit in here or if you have a place for
12 them. I'm going to talk to Regional Planning before
13 the next time and have them help me with that.

14 MR. EVANS: Talking about condos?

15 MS. LAND: Because I think condos are going
16 to be more and more of a big issue.

17 SECRETARY STACY: Uh-huh.

18 MR. EVANS: 4. Accessory Buildings.

19 CHAIRPERSON TIMMERMAN: You did that.

20 MR. EVANS: Section 702. Principal Uses
21 Permitted Subject to Special Conditions.

22 The following uses shall be permitted
23 subject to the conditions hereinafter imposed for each
24 use and subject further to the review and approval of

1 the zoning commission.

2 1. General hospitals with no maximum height
3 restrictions when the following conditions are met:

4 A. All such hospitals shall be developed
5 only on sites consisting of at least 10 acres in area.

6 B. The minimum distance of any main or
7 accessory building from bounding lot lines or streets
8 shall be at least 100 feet from front, rear, and side
9 yards for all two-story structures. For each story
10 above two, the minimum yard distance shall be
11 increased by at least 20 feet.

12 2. Telephone exchange buildings and public
13 utility offices, including transformer stations,
14 substations, or gas regulator stations all without
15 storage yards.

16 3. Accessory building and uses customarily
17 incident to any of the above permitted uses.

18 Good.

19 Section 703. Area and Bulk Requirements.

20 See Article XIV, Schedule of Regulations,
21 limiting the height and bulk of building, minimum size
22 of lot and permitted land use, maximum density permit
23 and providing minimum yard setback requirements.

24 MS. LAND: Wait until you read G.

1 CHAIRPERSON TIMMERMAN: That's a fun one.
2 When I read through G it felt like it was a math
3 problem.

4 MS. LAND: What time is Susie's train going
5 to arrive kind of math problem.

6 CHAIRPERSON TIMMERMAN: It's determining
7 basically how many stories your apartment building can
8 be, basically.

9 MS. LAND: And the type of units therein.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. LAND: For density.

12 CHAIRPERSON TIMMERMAN: Exactly.

13 MS. LAND: Do you want to read G, so we
14 can --

15 MR. EVANS: Sure. G. In an RM-1,
16 Multiple-Family Residential District, the total number
17 of rooms of 80 square feet or more, not including
18 kitchen, dining, and sanitary facilities, shall not be
19 more than the area of the parcel in square feet
20 divided by 1,500.

21 All units shall have at least one living
22 room and one bedroom, except that not more than
23 10 percent of the units may be an efficiency apartment
24 type.

1 For the purpose of computing the permitted
2 number of dwelling units, the following room
3 assignments shall control: Efficiency, one room. One
4 bedroom, two rooms. Two bedrooms, three rooms. Three
5 bedroom, five rooms. Four bedroom, seven rooms.

6 Plans presented showing one-, two-, three-,
7 or four-bedroom units, including a den, library, or
8 other such rooms, shall count such other rooms as a
9 bedroom for the purpose of computing density.

10 In an RM-1 District, the area used for
11 computing density shall be the total site area,
12 exclusive of any dedicated public right-of-way of
13 either interior or bounding roads.

14 A lot going on there.

15 MS. PARGEON: Yeah.

16 MS. LAND: Now we need a flowchart.

17 I don't know if this is some kind of
18 standard that's used when multi-family apartment
19 complexes are being built. It's a HUD standard.
20 I have no idea where these came from.

21 CHAIRPERSON TIMMERMAN: I'll say this: It's
22 the same as Washington's.

23 MS. LAND: Is it?

24 CHAIRPERSON TIMMERMAN: Yeah.

1 SECRETARY STACY: It's very standard on lots
2 for them.

3 CHAIRPERSON TIMMERMAN: Washington's book is
4 the exact same as this. So I think it's an accepted
5 equation.

6 MS. LAND: Do you understand it?

7 CHAIRPERSON TIMMERMAN: Somebody spent a lot
8 of time figuring that out.

9 MR. EVANS: They thought best to leave it
10 alone.

11 SECRETARY STACY: We are required to have
12 this multi-family.

13 MR. EVANS: We're kind of close to where
14 99 is. The south side of 99, they're getting ready to
15 build things there where the new church is going.

16 SECRETARY STACY: Right. Right. I mean,
17 there's already a lot of apartments and condos.

18 MR. EVANS: They've been adding a lot.

19 SECRETARY STACY: Yeah.

20 MS. LAND: Are there any condos in the
21 Hillcrest subdivision, or is it all single-family?

22 VICE CHAIRPERSON REHUS: I'm not sure.

23 CHAIRPERSON TIMMERMAN: No idea.

24 FROM THE FLOOR: I think there is.

1 SECRETARY STACY: You think there are some
2 condos?

3 FROM THE FLOOR: Yeah.

4 MR. EVANS: Part of it depends on what
5 you're classifying as a condo. I see some people
6 where it looks like a condo and they're calling it a
7 villa.

8 FROM THE FLOOR: They call it a villa.
9 There are two sides they go into and come out of the
10 main area into the apartment area.

11 MS. LAND: The thing that makes it a condo,
12 though, is it's the legal status of how the ground is
13 broken up. A condo is on one lot. It may have a lot
14 of residences on one lot, but it's all under one lot.
15 It's not like everybody has their own -- it's not
16 like -- and then they own a portion of it. So the
17 association owns the ground, and the people own --
18 whoever the owners are own the inside of the
19 buildings. The association owns the outside of the
20 buildings. Condos are a little --

21 FROM THE FLOOR: Like a duplex.

22 MS. LAND: Yeah. They can be duplexes.
23 They can be towers. They can be multi-floored towers.
24 A lot of them are duplexes, though. Or quads.

1 MR. EVANS: At Brookstone, they've got --

2 MS. LAND: They are, like, four.

3 MR. EVANS: Exactly. And I think right
4 across the road, I think it's Siferd's might be
5 starting. There's a sign there.

6 MS. LAND: They are building. Is that in
7 Allen?

8 MR. EVANS: That's right where it says,
9 "AEP tower." See where 99 --

10 MS. LAND: Yeah.

11 MR. EVANS: It's in the yellow.

12 MS. LAND: Oh, okay.

13 MR. EVANS: Is that in the city limits? Is
14 that what the white is is city limits?

15 MS. LAND: I think. Yes.

16 FROM THE FLOOR: Are you guys talking about
17 the driveway access?

18 MR. SCHIMMOELLER: Yeah. We talked about
19 that at the other meeting, how all of the people are
20 going to get in.

21 FROM THE FLOOR: They are not very happy
22 with the new apartment buildings going in there
23 because they are going to open up some of those roads
24 that are cut off and have been cut off for years.

1 They are going to open them up for all of that
2 traffic. Some of that is going to run through there
3 and cross over.

4 FROM THE FLOOR: The cul-de-sac becomes a
5 through street.

6 MS. LAND: That's the way those are
7 designed. In the initial plat, if you look at them,
8 they'll have a stub road through there. They have the
9 right-of-way already designated.

10 MS. PARGEON: Oh, my gosh.

11 MS. LAND: I don't know how many units are
12 going to be in there or how many -- I haven't heard.

13 SECRETARY STACY: How do we deal with, like,
14 how large of an area? I mean, it sounds like there's
15 also already a lot of the multi-family stuff already
16 in place. We do have to provide, but it could be a
17 smaller --

18 MS. LAND: Yeah. Oh, yeah. You decide how
19 many places there are allowed to be. They have to be
20 provided for, and there has to be someplace on the map
21 where they are allowed to be. They might be where
22 they already are.

23 SECRETARY STACY: Oh. So it could be where
24 they already are?

1 MS. LAND: Yeah. Uh-huh. Same way with
2 residential. I mean, you're going to be guided a
3 little bit by where they already are for where you're
4 going to put your residential areas, where you think
5 residential would grow logically out of where things
6 already exist. There's always somebody who takes --
7 you know, starts a new place out in the middle of
8 nowhere.

9 CHAIRPERSON TIMMERMAN: Thanks.

10 MS. LAND: Yeah. It'll probably end up
11 agricultural.

12 CHAIRPERSON TIMMERMAN: I hope.

13 MR. EVANS: We got through the whole thing,
14 didn't we?

15 MS. LAND: We did.

16 CHAIRPERSON TIMMERMAN: Do we want to touch
17 any of the tables, though, with the RM-1?

18 MS. LAND: Yeah, that's a question. They
19 have a maximum height -- well, the first, the lot
20 width and area is designated by this formula of what
21 they are putting on it. I don't know if we want to
22 mess with that too badly. It's confusing. It seems
23 like a standard. Height, we have 30 feet.

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MS. LAND: Which, you know, sort of stops
2 the possibility of having multi-story apartment
3 buildings.

4 MR. EVANS: Three-story, if they have a flat
5 roof.

6 CHAIRPERSON TIMMERMAN: Right. Which you
7 don't see that much of.

8 SECRETARY STACY: So would that 30 feet mean
9 a two-story?

10 MR. EVANS: If it has a gable roof.

11 SECRETARY STACY: Okay. But it could
12 have -- it's either two or three stories.

13 MR. EVANS: If it's a flat-roof building,
14 then it's three roughly.

15 MS. PARGEON: They'd just keep on going,
16 wouldn't they?

17 MS. LAND: Do you want to leave it at 30?

18 CHAIRPERSON TIMMERMAN: I think if you take
19 it down to 25 and try to restrict them to two stories,
20 you're starting to get into a flat roof. Not truly
21 flat, but lower pitch.

22 MS. LAND: And houses are 30.

23 CHAIRPERSON TIMMERMAN: Right.

24 SECRETARY STACY: Yeah. Yeah.

1 CHAIRPERSON TIMMERMAN: I think I would
2 stick with 30.

3 MS. PARGEON: Definitely.

4 MS. LAND: Looks like setbacks are 30, 30,
5 and 30.

6 I think H has to do with parking. In no
7 instance shall the distance between buildings be less
8 than 30 feet. But off-street parking can be required
9 in those rear and side setbacks.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. LAND: They can't put buildings on top
12 of each other and still have 30 feet between them.

13 SECRETARY STACY: Okay.

14 CHAIRPERSON TIMMERMAN: 25 percent lot
15 coverage seems --

16 SECRETARY STACY: Do we have to do something
17 with those bedroom designations?

18 MS. LAND: That's the size of the unit.

19 MR. EVANS: That's what was said.

20 CHAIRPERSON TIMMERMAN: That's part of what
21 G is kind of dictating.

22 MS. PARGEON: Yeah. Multi-Family
23 Residential District.

24 MR. EVANS: It seems a descent size, if one

1 bedroom -- basically, it's a bedroom, a living room, a
2 kitchen, and bathroom. That's 500 square feet.

3 MS. LAND: That's a standard size apartment
4 that they will probably rent for 1,500 bucks.

5 SECRETARY STACY: So it would probably be a
6 mix of efficiencies. And then the larger ones, is
7 that how you would interpret that?

8 MS. LAND: I think G is basically making
9 sure that they can't have an entire set of
10 efficiencies. They have to be incident to the other
11 ones, but they don't want only efficiencies.

12 SECRETARY STACY: Okay.

13 MS. LAND: For every however many
14 multi-bedroom apartments or multi-room apartments,
15 they can have a certain number of efficiencies in this
16 formula.

17 SECRETARY STACY: Okay.

18 MR. EVANS: It kind of reminds me a little
19 bit of Birch Haven. The one big building, there are
20 efficiencies in there. There are one bedrooms, there
21 are two bedrooms.

22 MS. LAND: But when you get, like, down in
23 Columbus, down around the university, there's building
24 after building after building that are only

1 efficiencies, and that's probably something you don't
2 really want to see.

3 MR. EVANS: There's a good mix at Birch
4 Haven.

5 SECRETARY STACY: All right. Did we do it?

6 MS. LAND: I think we did it. We made it.

7 CHAIRPERSON TIMMERMAN: Thanks. Tried to
8 make it quick.

9 VICE CHAIRPERSON REHUS: Now we're going to
10 get wet.

11 CHAIRPERSON TIMMERMAN: Well, we can stay.
12 If it's raining, we can stay and do more.

13 MS. LAND: No, I have an umbrella. I'm
14 good.

15 CHAIRPERSON TIMMERMAN: Can you walk us all
16 to our cars?

17 FROM THE FLOOR: I just was curious about
18 the pool. Is that a built-in pool, or is that an
19 above-ground?

20 SECRETARY STACY: That's actually a good
21 question.

22 CHAIRPERSON TIMMERMAN: That is a good
23 question.

24 FROM THE FLOOR: Because an above-ground

1 pool is 4 feet off the ground, and, then, it has the
2 fencing around it. That fencing that goes around it
3 is maybe only 2 feet, but you're still 6 feet up.

4 SECRETARY STACY: That's a good question.

5 CHAIRPERSON TIMMERMAN: Do you know anything
6 on that standard?

7 FROM THE FLOOR: I don't.

8 FROM THE FLOOR: And you have semi
9 in-ground.

10 FROM THE FLOOR: I think Deb said to put a
11 fence around it regardless.

12 FROM THE FLOOR: Well, you've got to think
13 about the pool. If it's above ground, you're not
14 falling into the pool aimlessly.

15 FROM THE FLOOR: Most of the above-ground
16 pools have self-latching gates.

17 FROM THE FLOOR: Oh, yes, they do. They
18 absolutely do.

19 FROM THE FLOOR: You probably ought to call
20 something out in there because that specifically said
21 pool wall, which rendered it more to above ground.
22 But in-ground pools are obviously a different animal
23 all together.

24 FROM THE FLOOR: That sounded to me like an

1 in-ground pool.

2 FROM THE FLOOR: See, I heard it the other
3 way.

4 FROM THE FLOOR: Because it has to be a --
5 CHAIRPERSON TIMMERMAN: It covers
6 everything.

7 SECRETARY STACY: Something we're going to
8 revisit is pools. Yeah.

9 FROM THE FLOOR: How many people know
10 somebody with a pool? A lot of people? I don't see
11 pools anymore.

12 MS. PARGEON: We don't have a pool, but I
13 know people with them.

14 SECRETARY STACY: The thing with a pond,
15 that's an attractive nuisance.

16 MS. LAND: The ponds --

17 SECRETARY STACY: So it's almost like
18 they're a hardship to --

19 MS. LAND: You're going to have to -- when
20 you get to the pond section, you're going to be
21 talking about where they can be placed. We've run
22 into problems in other townships with people putting
23 them in their front yard. They end up right near the
24 road and they are a serious problem. You know, so

1 you'll have to discuss what you want to do with ponds
2 when you get to the pond section.

3 MS. PARGEON: I just couldn't believe they
4 are that close to the road, but they are. People
5 aren't thinking when they put them in. Oh, we needed
6 dirt so we decided to put a pond in.

7 MS. LAND: Or they just really want a pretty
8 pond in the front of the house.

9 MS. PARGEON: It's not called a wetland.

10 MS. LAND: They put stones and make it a
11 beautiful swimming area, but, then, as soon as a car
12 lands in it, they are a little bit annoyed.

13 CHAIRPERSON TIMMERMAN: Darrin, your rain
14 just let up.

15 FROM THE FLOOR: I have a question, too,
16 about R-1. You took about four businesses or
17 excluding home business out of there. What does that
18 do with Airbnb, Vrbo? Because those are technically
19 businesses that people can live in. Like, I can live
20 in my house three years -- six months out of the year,
21 and, then, I could Vrbo it or Airbnb it. It could
22 still be technically my primary home.

23 MS. LAND: Yeah. We'll get to some of that
24 in -- there's a general section that doesn't -- those

1 aren't considered home businesses. And they mostly
2 aren't -- they are dealt with separately. They're not
3 part of what you do in a regular residential district.
4 But it's a newer concept, so it's something that
5 you'll have to look at.

6 CHAIRPERSON TIMMERMAN: Anybody else?

7 (No response.)

8 CHAIRPERSON TIMMERMAN: Anybody else up here
9 have anything?

10 (No response.)

11 MS. LAND: Before I come back next time,
12 hopefully, I'll be an able to have some definitions of
13 things like vape stores, tobacco shops, tattoo
14 parlors, piercing establishments, so that we can get
15 some more definitions. Because when you get into the
16 business stuff, you're going to want to be able to
17 identify where you're putting things and what can be
18 permitted.

19 CHAIRPERSON TIMMERMAN: Ideally we'll have
20 our map next time.

21 MS. LAND: Let's hope so. Here's your
22 documents.

23 Do you have a place for us to lock stuff up?

24 MR. SCHIMMOELLER: Yes.

1 CHAIRPERSON TIMMERMAN: Anything else?

2 (No response.)

3 MS. PARGEON: I make a motion that we
4 adjourn.

5 MR. EVANS: I second.

6 SECRETARY STACY: Everyone who agrees, say
7 "Aye."

8 (Vote taken.)

9 SECRETARY STACY: Motion passed. We're
10 adjourned.

11 - - -

12 And, thereupon, the proceedings were
13 concluded at 8:02 p.m.

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