

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 25, 2024
9 5:00 p.m.
10 Allen Township Center
11 12829 State Route 613
12 Van Buren, Ohio 45889

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14 GAYLE L. ANDERSON, CRR/CLVS
15 CERTIFIED REALTIME REPORTER

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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 Clara Pargeon
16 Matt Cordonnier, Hancock Regional Planning
17 Commission

18 - - -

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

2 - - -

3 BE IT REMEMBERED THAT, on the 25th day of
4 April, 2024, this cause came on for hearing before the
5 Allen Township Zoning Commission. And the parties
6 appearing in person and/or by counsel, as herein set
7 forth, the following proceedings were had:

8 - - -

9 CHAIRPERSON TIMMERMAN: We're going to call
10 this meeting to order. We'll do roll call.

11 Dave Evans. He's not here.

12 Clara Pargeon.

13 MS. PARGEON: Here.

14 CHAIRPERSON TIMMERMAN: Darrin Rehus is not
15 here.

16 Deb Stacy.

17 MS. STACY: I am here.

18 CHAIRPERSON TIMMERMAN: And John Timmerman,
19 I am here.

20 MS. STACY: Yes, you are.

21 Okay. So I can go ahead and read the
22 minutes.

23 Allen Township Zoning Commission, April 22,
24 2024. Attendance: Clara Pargeon, Darrin Rehus, Deb

1 Stacy, John Timmerman. Dave Evans was absent.

2 Deb Stacy, Allen Township Zoning Commission
3 secretary, read the April 18, 2024, minutes.

4 Motion 24-04-13M: Clara Pargeon moved to
5 approve the Allen Township Zoning Commission minutes
6 from the April 18, 2024, meeting. Darrin Rehus moved
7 to second the motion. Motion passed.

8 Cindy Land, Assistant County Prosecutor,
9 announced that the individual members of the Allen
10 Township Zoning Commission would be receiving
11 litigation papers soon. Cindy passed out a copy of
12 the litigation to Allen Township Zoning Commission
13 members.

14 Committee members read through and discussed
15 the listing of definitions of words provided by Cindy
16 to be used in the new zoning resolution. The Allen
17 Township Zoning Commission reviewed Article 12-I-1,
18 light industrial districts, and Article 13-I-2,
19 general industrial districts.

20 Matt from Hancock County Regional Planning
21 provided insight in evaluating industry and its
22 characteristics in order to designate it as either I-1
23 or I-2.

24 Section 1402, Planned Unit Development, will

1 be discussed at the next meeting.

2 John Timmerman, chairman, asked for comments
3 from the guests in attendance. A guest commented
4 about an industry that handled the coding, grinding
5 and polishing of metal, such as zinc.

6 After some discussion between the guests and
7 commission members, it was concluded that an industry
8 of that nature should be classified as I-2.

9 Motion 24-04-14M: John Timmerman moved to
10 adjourn the meeting. Darrin Rehus seconded the
11 motion. Motion passed.

12 So do you want to --

13 CHAIRPERSON TIMMERMAN: I move to accept the
14 minutes.

15 MS. STACY: Okay. So John is moving to
16 approve the minutes.

17 MS. PARGEON: And I am --

18 MS. STACY: Are you seconding?

19 MS. PARGEON: Yes, I am seconding.

20 MS. STACY: Okay. All rightee.

21 And all in favor say aye.

22 (Commission members responded.)

23 Motion passed.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. STACY: All right. So you're signing
2 that. Okay.

3 CHAIRPERSON TIMMERMAN: Do you have
4 paperwork from the last time that she was supposed to
5 get, or what was the deal at the end here the last
6 time? Did you have all the papers you wanted back in
7 there or she needed or filed?

8 MS. LAND: I don't -- I don't need them. I
9 have an unsigned copy; and if we have a request for
10 them, I'll get a signed copy.

11 MS. STACY: Okay.

12 MS. LAND: If they're in there, then --

13 MS. STACY: So you just want me to go ahead
14 and file this signed one; and then if you need it,
15 you'll know where it's at?

16 MS. LAND: If I need a signed one, I call
17 Mark; and he'll scan it and send it to me.

18 MS. STACY: Okay. That works.

19 CHAIRPERSON TIMMERMAN: Anything new on your
20 side, Cindy?

21 MS. LAND: No.

22 CHAIRPERSON TIMMERMAN: Okay. Last time --

23 MS. LAND: Well, I guess just an update.
24 The petition process, there was a protest filed with

1 the Board of Elections. They had their hearing on
2 Tuesday morning at 10 in front of the Board of
3 Elections. They took statements -- or a statement
4 from the attorney for Mr. Kent, who was the protester;
5 and then they took recommendations or comments from
6 the petition passers. At the end the Board voted to
7 sustain the petitions and to deny the protest.

8 So it's kind of a moot point, because the
9 trustees ended up passing the resolution of their own
10 volition; but at least that whole process is then
11 completed now.

12 CHAIRPERSON TIMMERMAN: That's complete like
13 it should be?

14 MS. LAND: Unless it's appealed.

15 CHAIRPERSON TIMMERMAN: Okay. Anything
16 else?

17 MS. LAND: No.

18 CHAIRPERSON TIMMERMAN: Okay. The last time
19 we ended --

20 MS. LAND: With Planned Unit Development;
21 but we were waiting for Matt --

22 CHAIRPERSON TIMMERMAN: Waiting on Matt.

23 MS. LAND: -- and he's not here.

24 So you want to skip over it and go to the

1 next section and come back when he gets here?

2 CHAIRPERSON TIMMERMAN: That seems
3 reasonable.

4 MS. STACY: [Unintelligible].

5 MS. LAND: Yes.

6 MS. STACY: Okay.

7 MS. LAND: This entire section, I always
8 kind of like to call it your potpourri section. It's
9 all that stuff that applies to everything, but not to
10 everything, but generally stuff that is sort of the
11 umbrella over everything, each of the different
12 districts.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: And I think in here is probably
15 where you'll want to -- Going along here, once we get
16 close to the end of it, is where you want to put that
17 section that you took out of definitions at the
18 beginning. The -- the section about intent and
19 construction language --

20 CHAIRPERSON TIMMERMAN: Okay. Yeah.

21 MS. LAND: -- we'll put that at the end --

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. STACY: Of this.

24 MS. LAND: -- of the whole -- The end of

1 this section is probably about where we want it.

2 MS. STACY: Okay.

3 MS. LAND: We'll reevaluate when we get
4 there; but I was just kind of thinking that that's
5 where it would go. I just had it in my -- stuck in a
6 brain cell, and it just came.

7 MS. STACY: Okay.

8 CHAIRPERSON TIMMERMAN: Okay. We'll get
9 started then.

10 Article XV, General Provisions. Section
11 1500, Conflicting Regulations.

12 Whenever any provision of this resolution
13 imposes more stringent requirements, regulations,
14 restrictions or limitations than are imposed or
15 required by the provisions of any other law or
16 resolution, then the provisions of this resolution
17 shall govern. Whenever the provisions of any other
18 law or resolution impose more stringent requirements
19 than are imposed or required by this resolution, then
20 the provisions of such resolutions shall govern.

21 Is that standard --

22 MS. LAND: That's standard.

23 MS. STACY: Standard language?

24 CHAIRPERSON TIMMERMAN: Is there any -- This

1 scenario --

2 MS. LAND: Any other way you can do it?

3 CHAIRPERSON TIMMERMAN: Is there any other
4 way to do it? My question is specifically driveways
5 that have shared common and it splits off. I think
6 that's governed at the County level.

7 MS. LAND: Uh-huh.

8 CHAIRPERSON TIMMERMAN: Is there any way
9 around that?

10 MS. LAND: You can't change that. The
11 County is -- Well, the thing is, it's governed by
12 another set of bureaucracy; and, you know, even if you
13 have zoning, it's just like one of the -- one of the
14 layers you have to fight through to get to what you
15 want to do. You have to go through the Health
16 Department; you have to go through Regional Planning;
17 you have to go through the Access Management rules; if
18 you're doing a subdivision, subdivision rules; and
19 then down to zoning. So --

20 CHAIRPERSON TIMMERMAN: Here's Matt.

21 MS. LAND: You want to continue here? Let's
22 go and at least get it done.

23 We're waiting for you to do Planned Unit
24 Development. We didn't get it done last time.

1 [Unintelligible].

2 MR. CORDONNIER: And I forgot my iPad.

3 MS. LAND: So you got nothing?

4 MS. STACY: He's got it up here.

5 MR. CORDONNIER: I do. I have it up here.

6 MS. LAND: Okay. Let's look at Planned Unit
7 Developments. You can have my hard copy here.

8 MR. CORDONNIER: Okay. So do you want just
9 a quick explanation of what it is?

10 CHAIRPERSON TIMMERMAN: Go for it.

11 MR. CORDONNIER: Essentially, a Planned Unit
12 Development is the creation of a -- a new zoning
13 category. Each Planned Unit Development can have
14 different standards. Those standards are negotiated
15 between the person requesting it and the Village.

16 Generally, a Planned Unit Development is --
17 In larger cities, you'll see them as like -- The
18 largest one I've seen, I've worked with was 1,000
19 acres; and within that 1,000 acres, they had
20 residential, office, commercial. But the whole
21 idea -- And the smallest one I've seen is a half an
22 acre.

23 But essentially what it is, you know, you
24 create a PUD; and on your zoning map, you'd have PUD,

1 you know, 1-2024. And whenever someone had a question
2 about that, you'd have to go pull the PUD document to
3 see what was agreed on, because the setbacks could be,
4 you know, whatever setbacks were agreed on, whatever
5 uses were agreed on, height standards, et cetera.

6 So the nice thing about PUD is that when
7 you -- when you go to rezone something, you can't --
8 you can't rezone it and say, yeah, we'll give you I-1;
9 but in this location, you can only do one of the ten
10 things listed. You can't put conditions on a
11 rezoning.

12 A PUD is a rezoning in which you get to,
13 essentially, work out all the conditions.

14 So let's say there was a 20-acre piece of
15 land that they wanted light industrial; and you're
16 like, well, how about we go the route of PUD, because
17 on that 20 acres, we only see, like, the following
18 three things working.

19 And the person is like, well, that works for
20 me.

21 So then you sit down, you create a document
22 that says what all the standards are; and then you go
23 through the rezoning process. And those standards go
24 along with the rezoning process.

1 And so it's not an I-1 district, it's not an
2 R-1 district. It's a PUD. And those rules for that
3 parcel have been negotiated already.

4 MS. LAND: So that PUD may say you can have
5 light industrial, but you can also have residential or
6 multifamily residential in these setbacks and these
7 rules in that area.

8 MR. CORDONNIER: Yeah. Oftentimes, you
9 know, to save time and energy, they'll say, well --
10 And oftentimes, we'll have a map. Like this area is
11 only where the residential is. This area is only
12 where the commercial is.

13 MS. LAND: [Unintelligible].

14 MR. CORDONNIER: And then you can say stuff
15 like it shall have all the following standards as
16 listed in those districts except for, like, some
17 exceptions.

18 I will say PUD's are, in general, a pretty
19 standard zoning mechanism. The City of Findlay from
20 2012 to 2023 didn't have PUD's; and we brought them
21 back, thinking that wasn't a good idea not to have
22 them.

23 MS. LAND: Marion Township has PUD's.

24 MR. CORDONNIER: Yeah.

1 MS. LAND: And some of the development along
2 Tiffin Avenue, oh, out there past the mall by
3 Wal-Mart, across from Wal-Mart and all that were done
4 by -- The area is a PUD. Used to have a lot of houses
5 and stuff in there, and then they developed -- There
6 used to be a Fazoli's and stuff in there, in that
7 area.

8 MR. CORDONNIER: So my general
9 recommendation is it doesn't hurt to have it in
10 here --

11 CHAIRPERSON TIMMERMAN: Okay.

12 MR. CORDONNIER: -- in case the day comes
13 where it could be useful. It's a tool -- it's a tool
14 that you have if you ever need it.

15 MS. LAND: But it's not something -- Is
16 it -- Let me rephrase.

17 Is it something that they would put on their
18 map initially that they see this area as PUD or do
19 they wait to have it rezoned for that?

20 MR. CORDONNIER: No. I would not -- You
21 would wait until someone requests a PUD.

22 CHAIRPERSON TIMMERMAN: In the event there
23 is a PUD, do you -- are you adding to the zoning
24 resolution or are you -- Is it a separate file, like,

1 this is the rules for --

2 MS. LAND: It's like the layer that gets put
3 on top of the zoning --

4 MR. CORDONNIER: Yeah.

5 MS. LAND: -- sort of like a --

6 MR. CORDONNIER: Yeah. For a zoning
7 administrator, when I worked at the town of Fishers in
8 the suburb of Indianapolis, we had 110 PUD's. So it
9 got a little frustrating because we had to go to the
10 big PUD file. Whenever there was a question about a
11 property, you had to --

12 CHAIRPERSON TIMMERMAN: So it's not actually
13 a part of the resolution?

14 MR. CORDONNIER: It might technically be. I
15 think that's kind of a technical question.

16 CHAIRPERSON TIMMERMAN: But it's only
17 specific to certain pieces of land?

18 MR. CORDONNIER: Geography, yes.

19 CHAIRPERSON TIMMERMAN: So the general
20 public, if they needed to -- if they wanted to do
21 something, probably is not looking in the PUD?

22 MR. CORDONNIER: Well, I mean --

23 CHAIRPERSON TIMMERMAN: If they -- The
24 average person that's not living in that PUD zone or

1 whatever, then they would -- they don't -- it doesn't
2 even apply to them.

3 MR. CORDONNIER: It only applies to the
4 geography stated in the PUD.

5 MS. PARGEON: Okay. At the end of this is
6 what it says. The land use patterns created shall
7 provide a desirable environment within the project
8 area while assuring that the value, utility,
9 convenience and general welfare of the neighboring
10 uses is not diminished.

11 MS. LAND: So it's sort of the ability to
12 take a piece of property, instead of having it be
13 rezoned for one thing, you rezone it for -- like
14 create a little village, several villages.

15 MR. CORDONNIER: Generally, there's a
16 give-and-take, you know. The developer may want more
17 density; and then the Township would require refined
18 with increased density further than what the code
19 allows, but then also in exchange we want extra
20 landscaping and more -- maybe a larger buffer between
21 uses. It's all sorts of give-and-take.

22 MS. LAND: We keep saying we're rezoning it
23 as a PUD; but it doesn't go through the rezoning
24 process to do that, does it?

1 MR. CORDONNIER: It does.

2 MS. LAND: It does? The hearings and the
3 whole works?

4 MR. CORDONNIER: Yes.

5 MS. LAND: Okay.

6 MR. CORDONNIER: But you have the agreement
7 worked out before.

8 MS. LAND: Before that, yeah. Okay.

9 MR. CORDONNIER: And in general, and I'm not
10 the attorney --

11 MS. LAND: This attorney doesn't know how it
12 works yet.

13 MR. CORDONNIER: -- you know, just one thing
14 to think about, you know. I've always been told by an
15 attorney, who I really trust, essentially, depending
16 on what the land use plan says, no one has a right to
17 a rezone.

18 MS. LAND: That's true.

19 MR. CORDONNIER: You know, it's a request.
20 And I mean, the municipality or township should think
21 thoughtfully about it, refer to their land use plan
22 and make decisions; but they don't have a right to it.

23 Where a permitted use in a district, they do
24 have -- the property owner does have a right to that.

1 So that's where --

2 CHAIRPERSON TIMMERMAN: So ultimately it
3 comes down to the Board approving it is what you're
4 saying?

5 MR. CORDONNIER: Yes. So I don't have a
6 fear of the PUD, because the Board has a lot of sway
7 over whether it's permitted or not. A property owner
8 doesn't have a right to a PUD. They can request it,
9 and you can deny them; but they don't have a right to
10 it.

11 CHAIRPERSON TIMMERMAN: Okay. Well, then is
12 that everything at this point?

13 MR. CORDONNIER: That's my -- that's my
14 short little description of what it is.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MR. CORDONNIER: I think they're a good
17 tool.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MR. CORDONNIER: And there's no danger
20 having it in there.

21 CHAIRPERSON TIMMERMAN: You want to read,
22 Clara, or you want me to?

23 MS. PARGEON: You can go ahead.

24 CHAIRPERSON TIMMERMAN: Okay. We're at

1 Section 14.02, Planned Unit Development, No. 1,
2 Intent: The Planned Unit Development option is
3 intended to permit large-scale development excluded in
4 a manner -- I'm sorry -- executed in a manner
5 consistent with sound land use planning principles and
6 in harmony with existing development in the
7 surrounding area. The land use patterns created shall
8 provide a desirable environment within the -- within
9 the project area while ensuring that the value,
10 utility, convenience and general welfare of
11 neighboring uses is not diminished.

12 No. 2, Procedure for Application:

13 Application shall be made to the zoning commission for
14 consideration under this option. The applicant
15 applying shall be required to make a submittal of the
16 following material for review and recommendation by
17 the commission.

18 A: A property area survey of the exact area
19 being requested.

20 B: A disclosure of the applicant's --
21 applicant's ownership interest in the land being
22 requested for the PUD option.

23 C: A topography map of the entire area at a
24 contour interval appropriate to the site. For -- for

1 relatively level terrain, the interval shall not be
2 more than two feet. This map shall indicate all
3 natural and man-made features within the site.

4 D: A plan of the entire area carried out in
5 such detail as to show the land uses being requested,
6 the densities being proposed where applicable, the
7 system of collector streets and off-street parking
8 system.

9 E: A written statement explaining in detail
10 the full intent of the applicant, indicating the
11 specifics of the development as -- the development
12 plan as it relates to the type of the dwelling units.

13 MS. STACY: Do you want to change that
14 collector? We had a discussion about collector
15 streets. Change them to that word?

16 MS. LAND: Well, they were major collectors.
17 It was what was replacing thoroughfare, and we decided
18 to change thoroughfare to street or road.

19 MS. STACY: Okay.

20 MS. LAND: Road or street.

21 So collector streets I think -- I don't
22 really know how to change that.

23 MR. CORDONNIER: I would maybe -- I would
24 maybe just say the roadway system.

1 MS. PARGEON: Yeah. That would make it
2 simpler.

3 MR. CORDONNIER: And in general, they don't
4 have to show every -- You don't need to show every --
5 every road, but the major roadways and how it would
6 all flow.

7 CHAIRPERSON TIMMERMAN: Where were we then?
8 Still on E? We're going to go back.

9 -- indicating the specifics of the
10 development plan as it relates to the type of dwelling
11 units contemplated in resultant population; the extent
12 of nonresidential development in the resultant traffic
13 generated and parking demands created.

14 MS. LAND: Okay. Sort of a logistical
15 question. When you say that there's negotiating and,
16 you know, working out this agreement, at what phase of
17 this does it happen? So they're putting in the
18 application now at this point, what we just read
19 through, explaining what they want. Does it go into
20 hearing process for the negotiation, or is it
21 something that's done at meetings?

22 MR. CORDONNIER: My honest answer is it
23 occurs outside of the meetings and in meetings.
24 Whether that's right or wrong, I'm not sure.

1 MS. LAND: You guys are never going to do
2 anything out of a meeting. Just so we know.

3 MR. CORDONNIER: Yeah. I mean, for example,
4 if something would come to me and I would make
5 recommendations, like let's shift the roadway here
6 and, you know, those type of things, and I think that
7 will be received well, let's take that to the meeting.
8 But then at the meeting, I think there would also be a
9 kind of a give-and-take about, you know, talk about
10 density or --

11 MS. LAND: So the zoning commission would,
12 basically, have a meeting to talk with you and with
13 them, whoever the applicant is, about what the plan is
14 and have their suggestions of what they do or don't
15 like to be able to come down to what would be going to
16 a hearing, the public hearing on it.

17 MR. CORDONNIER: Yeah. I think if they are
18 meeting with the zoning commission, that would be a
19 public hearing.

20 MS. LAND: So it doesn't have the same
21 standards as a regular rezoning that requires a
22 ten-day notice and all that?

23 MR. CORDONNIER: It should, yeah.

24 MS. LAND: Well, that's not a regular

1 meeting of the zoning commission. There's a
2 difference between the meetings and the hearings.

3 MR. CORDONNIER: Okay. That I'm not
4 familiar with.

5 MS. LAND: So we'll work it out. If one
6 comes up, we'll create our procedure to do it the way
7 that is comfortable for you guys depending on what it
8 looks like. If it's something that they give the
9 recommendation to you guys, hand it to you from
10 regional planning, and you have your meeting to look
11 at and nothing to say, then you set your hearing and
12 go. We can do that. It will take two meetings of you
13 guys to get it going, basically.

14 CHAIRPERSON TIMMERMAN: Does it come from
15 regional planning?

16 MS. LAND: No. It comes from a property
17 developer, someone who -- An applicant would be the
18 owner of the property.

19 CHAIRPERSON TIMMERMAN: Okay. That's what I
20 thought it was.

21 MS. LAND: Does it have to be all the
22 property under single owner to do a PUD?

23 MR. CORDONNIER: No.

24 MS. LAND: It has to be one of the owners

1 asking for the PUD, or do they all need to sign off?

2 MR. CORDONNIER: They all need to agree, so
3 that I'm not -- so I'm not rezoning Cindy's land
4 and --

5 MS. LAND: Exactly my worry. It's not like
6 an annexation where it's just a majority. It has to
7 be all of them?

8 MR. CORDONNIER: Correct.

9 MS. LAND: Okay.

10 MR. CORDONNIER: Rezoning go to regional
11 planning. We review them, and we make a
12 recommendation. Whether the Township follows it or
13 not is 100 percent up to them.

14 MS. LAND: They just have to acknowledge
15 that they received the recommendation, because they
16 are doing the hearings. Generally, they follow them,
17 not always; but they usually have some good insight
18 for what's going on.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. CORDONNIER: It's really another set of
21 eyes and ears to give an opinion.

22 MS. LAND: And sometimes, you know,
23 [unintelligible].

24 MS. PARGEON: It's best to get all kinds of

1 opinions.

2 MS. LAND: You guys have been doing this for
3 a while. You're sort of flying blind, and any time
4 you can get some experience --

5 MS. PARGEON: Appreciate it.

6 MS. LAND: -- take it, yeah.

7 MS. PARGEON: Yes.

8 MS. LAND: Take it with a grain of salt and
9 put your own spin on it but at least listen. That's
10 always a good idea.

11 MS. PARGEON: PUD Approval: The following
12 procedure shall be used in review of the plan by the
13 zoning commission and approval of the general plan by
14 the Township trustees.

15 A: The PUD plan shall be reviewed and a
16 recommendation shall be made by the zoning commission
17 relative to the plan's meeting the general goals and
18 objectives of the Township's comprehensive land use
19 plan.

20 B: Approval shall be given only after
21 public hearing and shall be granted by adoption of a
22 resolution designating the area to the PUD. Approval
23 under this section of the resolution is based on the
24 plan submitted; and, therefore, the plan and

1 supporting documentation are basic to the PUD
2 designation.

3 C: Once an area has been included within a
4 PUD, no development shall take place therein nor use
5 made of any part thereof except in accordance with the
6 general plan as originally approved or in accordance
7 with any approved amendments thereto.

8 D: Upon approval by the Township trustees
9 of a PUD, the general plan shall become an integral
10 part of the zoning for the PUD area and for purposes
11 of recordation shall be referred as a planned unit
12 development and whatever number, which number shall
13 correspond to the number of the resolution designating
14 the PUD. All approved plans shall be filed with the
15 Township clerk and the zoning inspector.

16 MS. LAND: We need to change that to
17 Township fiscal officer.

18 MS. STACY: Yes.

19 MS. LAND: There's no such thing as a clerk
20 anymore.

21 MS. STACY: That's correct. That's correct.
22 They're fiscal officers now.

23 MS. PARGEON: I didn't know that.

24 MS. LAND: Yeah. They'll tell you.

1 MS. STACY: Yes, they will.

2 For the public hearing is that typically a
3 30-day notice?

4 MS. LAND: For rezonings, they're ten-day
5 notices. For variances they're ten-day notices. So I
6 would presume for this one it would have to follow
7 that ten-day notice rule.

8 MS. PARGEON: E: Approval of a PUD general
9 plan shall be effective for a period of two years with
10 additional two-year extensions being automatic as long
11 as development of the area continues to be carried
12 out. Amendments to the PUD general plan must be
13 approved by the Township trustees through the steps
14 outlined in 1 and 2 above.

15 CHAIRPERSON TIMMERMAN: How does that play
16 out? So you got two years initially with an
17 additional two years?

18 MS. LAND: It would -- You keep getting
19 two-year renewals.

20 We also have a provision like this with
21 permits. Usually if you get a permit, it's good for a
22 year; and if you're still working on it diligently and
23 not just letting it go fallow, you get another year.

24 This one looks like it has an additional two

1 years. It can go on as long as it has to as long as
2 development is still happening in the area.

3 The thing being if it's a very large area,
4 it can take quite a while for these things to be
5 completed. So it might take four or five years or
6 more to have it built out.

7 CHAIRPERSON TIMMERMAN: What happens if it
8 fizzles out and it's not completed, but they're not
9 putting forth effort anymore? Is it still zoned the
10 PUD, or does it revert?

11 MS. LAND: I think at the end of two years,
12 you could revoke its PUD status for anything
13 additional that's going to be put in there that
14 doesn't already have permits to be built. And then
15 you --

16 Like if they only build, like, a 100-acre
17 PUD and they only build one thing and nothing else
18 happens, in two years you can take the rest of that
19 out of the PUD and have it --

20 MS. PARGEON: Redone.

21 MS. LAND: It would just go back to its
22 normal zoning and later get appealed.

23 MR. CORDONNIER: I think -- So the final
24 plan approval, so you get your PUD approved; and then

1 oftentimes, you know, you have 100 acres or 10 acres,
2 whatever; but you often do it in phases.

3 CHAIRPERSON TIMMERMAN: Right.

4 MR. CORDONNIER: So you go for final plan
5 approval for Phase One. That's kind of -- That's been
6 approved. That's kind of out the door. But the
7 general plan, if they're not moving forward, then
8 Phase Two, Three, and Four might be in jeopardy if
9 they're not moving forward.

10 CHAIRPERSON TIMMERMAN: If you -- if you
11 kind of stop the process, it would just revert back?

12 MR. CORDONNIER: I don't -- I don't -- I
13 don't -- They would -- I don't think so. I don't
14 know. I mean, that's a good question. I think -- I
15 think they would have to start the process -- they'd
16 have to start the process over again.

17 MS. LAND: I don't -- With it written here
18 that it only lasts for two years, but with it
19 automatically renewing, unless it's not proceeding, I
20 would think at the end of every two years your zoning
21 inspector would have to look at it and determine if
22 it's still in process and in a, you know, healthy
23 progression of development; and if it's not, he would
24 make a report to the trustees, who would come to you

1 guys and ask you guys to hold a hearing to determine
2 if it needs to be disposed of and stopped. I think
3 since it automatically renews, I think it would take
4 action on your part to make it not renew --

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: -- because it's set to
7 automatically go unless you make the point that it's
8 not going anymore because of an issue.

9 It's one of those education things you'll
10 have to work out with your zoning inspector so that
11 they're aware of those kind of things and what they're
12 looking for. It's part of what they'll do. They'll
13 get it.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. PARGEON: Final Plan Approvals.

16 Following approval of a PUD area by the
17 Township trustees, subdivision plats and the site
18 plans for each specific phase of the development shall
19 be reviewed by the zoning commission. These plans
20 shall be in such form and shall contain such
21 information as the zoning commission requires in its
22 rules. The zoning commission, in reviewing the
23 preliminary and final plans submitted under the PUD,
24 shall use as a guide the standard set forth in the

1 individual zoning district regulations. Where strict
2 application of specific use district standards would
3 serve no significant purpose, the zoning commission
4 shall have the authority to waive or modify such
5 standards so long as the convenience and general
6 welfare of neighboring uses is not diminished. Before
7 approving the final plats or site plans, the
8 commission shall determine that:

9 A: All dedications of -- yeah, of public
10 rights-of-ways or planned public open spaces shall be
11 made prior to any construction taking place on the
12 site.

13 B: In residential areas any prorated open
14 space shall be irrevocably committed by detection --
15 boy, words -- to an association of residents and
16 retained as open space for park, recreation and
17 related uses.

18 MS. LAND: Okay. Stop.

19 MS. PARGEON: Okay.

20 MS. LAND: Whenever we have in there that
21 something must go to a residents' association, we
22 always have problems, because there are very few
23 active residents' associations anywhere. They kind of
24 fizzle.

1 So I have some concerns with this part of
2 it. I think it could end up with you guys having park
3 and open space that's abandoned and you guys have to
4 find a way to take care of it, the Township does.

5 Matt, do you have any suggestions anywhere
6 or anywhere to look to see if there's some other means
7 for -- for this kind of thing?

8 MR. CORDONNIER: I'll make a note. I
9 know -- So if you do a subdivision plat today and
10 oftentimes this is the retention pond --

11 MS. LAND: [Unintelligible].

12 MR. CORDONNIER: Well, the -- Doug Cade
13 [phonetic] requires them to enter it into the County
14 maintenance program right away so that the
15 homeowners -- The subdivision is not responsible for
16 the pond maintenance. The County is.

17 MS. LAND: Yeah. Those are ditch and
18 drainage laws, though. So when it comes to parks and
19 stuff, though, it's a little different. I don't know.

20 MR. CORDONNIER: Offhand, I don't know what
21 the options are. I'm sure there are options; but I
22 mean, it could be dedicated directly to the Township,
23 but I don't know that.

24 MS. LAND: But then they take it over and

1 take care of it.

2 MR. CORDONNIER: Yeah. But I agree. HOA's
3 and those start off like gangbusters, and then after
4 40 years --

5 MS. LAND: Or even ten years when people
6 have moved and nobody told them that there's supposed
7 to be an HOA.

8 MR. CORDONNIER: I deal with that all the
9 time.

10 MS. LAND: So do I.

11 MS. PARGEON: Provisions, satisfactory to
12 the Township, have been made to provide for the
13 financing of any improvements shown on the plan for
14 open spaces and common use areas which are to be
15 provided by the applicant, and that maintenance of
16 such improvements is assured by a means satisfactory
17 to the Township.

18 D: The cost of installing all streets and
19 necessary utilities has been assured by a means
20 satisfactory to Allen Township and Hancock County.

21 E: The final plans of each project area of
22 the approved plan are in conformity with the overall
23 approved plan. Any changes or amendments requested
24 shall terminate approval on the overall plan until

1 such changes or amendments have been reviewed and
2 approved as in the instance of the first submittal.
3 Site plans approvals granted within a PUD area shall
4 be effective for one year. If construction commences
5 within the initial approval period, such construction
6 may continue until that phase of the project is
7 complete. If construction fails to commence during
8 that period, approval of that site plan shall lapse
9 and permits issued in connection therewith shall cease
10 to be in effect. Resubmittal of the site plan shall
11 be necessary in order to secure new permits.

12 MS. LAND: I don't understand that sentence.
13 I don't -- I know I'm tired, but this doesn't make
14 sense.

15 Any changes or amendments requested shall
16 terminate approval on the overall plan until such
17 changes and amendments have been reviewed and
18 approved.

19 What does that mean?

20 MR. CORDONNIER: Which letter is that under?

21 MS. LAND: E.

22 MS. PARGEON: E.

23 MS. LAND: It's, like, the third line down.

24 MS. PARGEON: They come up where they're

1 working on it and then decided, hell, we want to do
2 something different instead to change something?

3 CHAIRPERSON TIMMERMAN: It's just saying
4 it's put on hold until the request --

5 MS. PARGEON: Shall terminate approval on
6 the overall plan until such changes or amendments have
7 been reviewed and approved as in the instance of the
8 first submittal. Site plan approvals --

9 MS. LAND: Okay. Yeah. I think terminate
10 isn't the right word. Suspend?

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. PARGEON: Yeah. That would sound --

13 MS. LAND: Do you think that would be --

14 MR. CORDONNIER: I think that's better.

15 MS. LAND: It explains better what they
16 mean.

17 MR. CORDONNIER: I think the intent is, you
18 know -- I talked about, like, four phases; and you're
19 in Phase Three and you decide I'm going to do some
20 crazy squiggly line road that doesn't really fit in
21 with the rest of the phases. I think it's saying
22 until that amendment to Phase Three is approved, the
23 overall plan is suspended.

24 MS. LAND: It's on hold until we get this

1 sorted out. Makes sense. That terminate approval,
2 that seems weird.

3 MS. PARGEON: Yes.

4 MS. LAND: That's not quite the right way
5 to --

6 MR. CORDONNIER: Terminate is permanent.

7 MS. PARGEON: Yes. That's the end of it.
8 No more. No more.

9 MS. STACY: So for clarification, a PUD
10 could be residential, it could be business, it could
11 be industry or a combination of all those things?

12 MR. CORDONNIER: Yeah or something that
13 doesn't fit any of those categories.

14 MS. STACY: Right, because it's more of a
15 unique, separate entity?

16 MR. CORDONNIER: I think of it, you know, as
17 you're creating a completely separate zoning district.
18 You have I-1, I-2, R-1, R-2.

19 MS. LAND: Have you ever been up to Pace
20 Setterfield [phonetic] in Mayberry?

21 MR. CORDONNIER: Too many times.

22 MS. LAND: That looks like the example of
23 PUD --

24 MR. CORDONNIER: Yeah.

1 MS. LAND: -- because they have shops on the
2 bottom; they have big stores and, like, condos around
3 the back; and they have apartments on the top. It's
4 all a mix of lots of uses in one little village.

5 MS. PARGEON: That nobody ever leaves,
6 right?

7 MR. CORDONNIER: To me that's --

8 MS. LAND: And an ice cream shop.

9 MR. CORDONNIER: That's kind of what I think
10 of as a traditional. It's like a large scale, 250
11 acres, you know. We're going to incorporate a
12 downtown-like atmosphere and offices and then -- and
13 then housing and then apartments and then commercial,
14 you know.

15 But it can also be, you know, 40 acres, you
16 know, two industrial-type things; they have a unique
17 circumstance; and they -- you know, this is how it's
18 going to work.

19 So it's a way to -- What it really does, in
20 my opinion, it allows some freedom away from the
21 rigidness of C-2, R-1. It allows creativity. It
22 allows ways to kind of get around -- get around is
23 maybe not the best way -- a way to add flexibility to
24 your code if -- if the time and place for it comes.

1 Otherwise, the alternative is they rezone.
2 They take their 100 acres, and they rezone part R-1
3 and part C-2 and part this. And because of the
4 layout, you need three variances here, you need four
5 variances here, you know. So it's a way to kind of
6 work through that whole process. How is it all going
7 to work?

8 And that's -- The nice thing I like about it
9 is, like, you know where the roads are going to go,
10 you know where the buildings are going to be,
11 essentially. You know what's going to happen before
12 you grant what's going to happen.

13 MS. STACY: Correct. Correct.

14 MS. LAND: You've got to be careful in
15 rezoning a little bit here, a little bit here. It's
16 called spot zoning; and you can't just pick out, you
17 know. Because you want your industry over here, but
18 it's agriculture, you put a spot over here in the
19 middle of nowhere for you. That's not something
20 that's a good thing. And that's something else that
21 the PUD would help alleviate, because they would have
22 several little spots that don't seem to coalesce
23 together. And then, you know, when they overlap, you
24 get all those variances and stuff.

1 CHAIRPERSON TIMMERMAN: When you started
2 this, you said you've seen this as large as 1,000
3 acres --

4 MR. CORDONNIER: Yeah.

5 CHAIRPERSON TIMMERMAN: -- as small as a
6 half an acre.

7 I think what you're saying is stuff in the
8 middle. Anything bigger would be similar to stuff in
9 the middle. What's a scenario that would be something
10 a half an acre or something smaller?

11 MR. CORDONNIER: It was -- it was -- They
12 put in an Arby's, and they had so many variances that
13 they just did a PUD rather than go and try to get a
14 bunch of variances.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MR. CORDONNIER: To me that was against the
17 intent of what the planning -- the PUD was, but it got
18 approved.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. CORDONNIER: I know exactly where that
21 Arby's is.

22 MS. LAND: It's still noisy, right?

23 MR. CORDONNIER: It's 116th Street in
24 Fishers, yeah. So I don't see it very often.

1 MS. LAND: And when you do, it makes your
2 teeth grind, doesn't it?

3 Okay. I think we're ready to go on to
4 Article XV.

5 MS. PARGEON: Okay. Article XV.
6 Conflicting regulations.

7 MS. LAND: Okay. We already went through
8 the --

9 MS. PARGEON: What page?

10 CHAIRPERSON TIMMERMAN: Right there. Just
11 the next paragraph.

12 MS. PARGEON: Section 1501, Scope:
13 No building or structure, or part thereof,
14 shall hereafter be erected, constructed or altered and
15 maintained, and no new use or change shall be made or
16 maintained for any building, structure, or land, or
17 part thereof, except in conformity with the provisions
18 of this resolution.

19 Section 1502: Nonconforming lots,
20 nonconforming uses of land, nonconforming structures,
21 and nonconforming uses of structures and premises.

22 MS. LAND: When you start zoning, when you
23 haven't had zoning, you will have a lot of
24 nonconforming uses, because you're not going to go

1 around and zone for what's already there. Some you
2 will, but they are clusters of things; but otherwise,
3 they will end up being considered nonconforming. And
4 they're still permitted. It's not like you have to
5 tell somebody they have to stop doing what they're
6 doing because of the zoning.

7 The other thing you'll get questions about
8 that I just want to throw out there so you remember,
9 how you zone it has nothing to do with how it's taxed
10 either. So if people get all worked up that you just,
11 you now, zoned me industrial and I'm agricultural, I'm
12 farming it, it's going to change my taxes, it will
13 not.

14 The actual use of your property controls
15 your taxes, not how you [unintelligible].

16 MR. CORDONNIER: In fact, I've -- I've
17 answered this question a lot too. The County
18 auditor's office does not have the zoning. They don't
19 have the zoning for the city. They don't have the
20 zoning for any of the townships.

21 MS. LAND: Yeah. They don't take it under
22 consideration for anything.

23 MR. CORDONNIER: It's not a consideration.

24 We did a map update, and we had -- we had

1 about 500 residential parcels in the city of Findlay
2 that were zoned light industrial; and they were taxed
3 as residential. They tax you on how you're using the
4 land, not on how it's zoned. So that's -- that's an
5 important point.

6 MS. STACY: Okay.

7 MR. CORDONNIER: If you -- if you took
8 someone's farm field and zoned it whatever, they're
9 not -- they're not going to be zoned as --

10 MS. LAND: Correct. They're not going to be
11 taxed any different than they currently have. And
12 that's okay. That's good.

13 That's something you need to know and answer
14 at your hearings, I guarantee. It's always asked.

15 MR. CORDONNIER: It's -- it will be at the
16 top of the list.

17 MS. PARGEON: 1. Intent:

18 It is the intent of this resolution to
19 permit legal, nonconforming lots, structures or uses
20 to continue until they are removed.

21 It is recognized that there exists within
22 the districts established by this resolution and
23 subsequent amendment lots, structures and uses of land
24 and structures which were lawful before this

1 resolution was passed or amended which would be
2 prohibited, regulated or restricted under the terms of
3 this resolution or future amendments.

4 Such uses are declared by this resolution to
5 be incompatible with permitted uses in the districts
6 involved. It is further the intent of this resolution
7 that nonconformities shall not be enlarged upon,
8 expanded or extended, nor be used as grounds for
9 adding other structures or uses prohibited elsewhere
10 in the same district.

11 A nonconforming use of a structure, a
12 nonconforming use of land or a nonconforming use of a
13 structure and land shall not be extended or enlarged
14 after passage of this resolution by attachment on a
15 building or premises of additional signs intended to
16 be seen from off the premises or by addition of other
17 uses of a nature which would not be permitted
18 generally in the district involved.

19 To avoid undue hardship, nothing in this
20 resolution shall be deemed to require a change in the
21 plans, construction or designated use of any building
22 on which actual construction was lawfully begun prior
23 to the effective date of adoption or amendment of this
24 resolution and upon which actual building construction

1 has been diligently -- I can't say the word --
2 diligently carried on. Actual construction is hereby
3 defined to include the placing of construction
4 materials in permanent position and fastened in a
5 permanent manner. Except where demolition or removal
6 of an existing building has been substantially begun
7 preparatory to rebuilding, such demolition or removal
8 shall be deemed to be actual construction, provided
9 that work shall be diligently carried on until
10 completion of the building involved.

11 2, Nonconforming --

12 MS. LAND: Wait a minute. Does anybody have
13 any questions about that?

14 MR. CORDONNIER: I don't -- I don't like the
15 first -- I feel like it's -- I don't like the first
16 paragraph. I just don't like the word "until they are
17 removed."

18 MS. STACY: [Unintelligible].

19 MR. CORDONNIER: Well, I mean, it depends.
20 Like, in general -- And that's what I was flipping
21 through to see; and it looks like if you have a barber
22 shop and it's zoned residential and -- you have a use
23 that's not permitted, but it's grandfathered. You can
24 continue to do it.

1 MS. LAND: Forever if you're still doing it.

2 MR. CORDONNIER: Forever if you're still
3 doing it.

4 But if you close the barber shop for two
5 years, it loses its nonconformity.

6 I just -- I feel like the word -- I think
7 once we digest this all, we have to come back and look
8 at "removed."

9 MS. STACY: Right. Right.

10 MR. CORDONNIER: Especially to me I read
11 that; and it's like, well, my -- it's grandfathered
12 until the building is removed --

13 CHAIRPERSON TIMMERMAN: Right.

14 MR. CORDONNIER: -- which for the building
15 that's probably true, but not for uses in different,
16 you know --

17 So I think, just put a little asterisk on
18 that to maybe revisit it here once we've digested
19 everything.

20 MS. PARGEON: Nonconforming uses of
21 structures and land.

22 MS. LAND: Wait a minute. We're on 2.

23 MR. CORDONNIER: We're on 2.

24 MS. PARGEON: Okay. We're on 2. Sorry.

1 Nonconforming structures:

2 Where a lawful structure exists at the
3 effective date of adoption or amendment of this
4 resolution that could not be built under the terms of
5 this resolution by reason of restrictions on area, lot
6 coverage, height, yards or other characteristics of
7 the structure or its location on the lot, such
8 structures may be continued as long as it remains
9 otherwise lawful, subject to the following provisions:

10 A: No such structure may be enlarged or
11 altered in a way which increases its nonconformity.
12 Such structures may be enlarged or altered in a way
13 which does not increase its nonconformity.

14 B: Should such --

15 MS. LAND: Hold on a second. You guys know
16 what that means?

17 MS. PARGEON: Does that mean it's not being
18 changed into something, used for something else?

19 MS. LAND: We're not talking about uses
20 here. We're only talking about the structure itself.

21 So if you have something that, say, has, you
22 know, setbacks that are too close to the road, it can
23 stay that way. It's not -- You don't have to move it
24 back. It's nonconforming because it's not -- the

1 structure is in the right place; and you're prohibited
2 from building a porch on the upper front and making it
3 even closer to the [unintelligible], but you can build
4 a deck on the back if you're still within the
5 setbacks.

6 MS. PARGEON: Okay. That makes sense.

7 MS. LAND: Make sense?

8 CHAIRPERSON TIMMERMAN: Would you be allowed
9 to extend -- I don't know how to say this -- like a
10 side lot? Okay? If you're too close to the side
11 setback, could you extend the structure back,
12 maintaining that setback, or the addition would have
13 to be set into the setback?

14 Does that make sense?

15 MS. LAND: That's kind of open for
16 interpretation --

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: -- because you are probably
19 increasing the degree of the nonconforming if you
20 build more too close to the setback.

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: So I'm on the conservative side.
23 I would be saying, "Huh-uh. No, you can't. You'd
24 have to -- Where your addition has to be has to be --

1 meet the appropriate setbacks."

2 CHAIRPERSON TIMMERMAN: Okay. That's the
3 way I read it.

4 MR. CORDONNIER: That's the way -- At the
5 City of Findlay, Eric, that's how he would interpret
6 it, the zoning inspector. He would say the addition
7 has to meet the setbacks.

8 MS. LAND: Because you're increasing it's
9 nonconformity because there's more of that side yard
10 encroached.

11 MS. PARGEON: B: Should such structure be
12 destroyed by any means to an extent of more than
13 60 percent of its market value appraisal by the
14 Hancock County auditor, exclusive of the foundation,
15 it shall be reconstructed only in conformity to the
16 provisions of this resolution.

17 C.

18 MS. LAND: Again, you guys know what we're
19 talking about here?

20 MS. PARGEON: Yes. If a storm comes and
21 wipes it out --

22 MS. LAND: If it's not more than 60 percent
23 gone, you can put it back and still continue on with
24 your nonconforming use. You can put it back as

1 nonconforming.

2 MS. PARGEON: Yes.

3 MS. LAND: But if it's more than 60 percent
4 destroyed, you got to put it back the right way.

5 MS. PARGEON: C: Should such --

6 MS. LAND: Wait a minute.

7 MS. PARGEON: Okay.

8 MS. LAND: That 60 percent is a negotiable
9 number. You guys can choose what you want.

10 Some say I don't think you can go less than
11 50 percent, but you can go -- make it higher. They'd
12 have to have 100 percent destroyed before they
13 couldn't put it back or -- because that's less
14 restrictive. See what I mean?

15 MR. CORDONNIER: The City of Findlay, they
16 changed it a couple years ago to be -- to be even more
17 lenient in that you have two years -- If it's 100
18 percent destroyed, you have two years to build on the
19 same location, the same footprint. Just you have to
20 start construction within two years, reconstruction;
21 and you can go back on that footprint.

22 MS. LAND: That's very liberal.

23 MS. PARGEON: Uh-huh.

24 MS. LAND: So you guys like the 60 percent?

1 You want to go 75 percent? 100 percent?

2 CHAIRPERSON TIMMERMAN: That's a tough one.
3 There's so many scenarios. It's like, yeah, go for
4 it. There's other scenarios where you possibly
5 wouldn't want that structure back.

6 MS. PARGEON: Yeah. Right.

7 CHAIRPERSON TIMMERMAN: This is a --

8 MS. LAND: But it's a one-size-fits-all.

9 MR. CORDONNIER: You don't get to play
10 favorites.

11 CHAIRPERSON TIMMERMAN: Right. So --

12 MR. REHUS: Leave it.

13 CHAIRPERSON TIMMERMAN: I would think I
14 would tend to probably leave it, but I'm open to
15 everybody's thoughts.

16 MS. STACY: Do we want to keep it at 60?

17 MS. PARGEON: Depends what it is. It makes
18 it harder.

19 MR. REHUS: I say leave it.

20 CHAIRPERSON TIMMERMAN: Open it up to the
21 public?

22 Deb, you're good with that?

23 Anybody out there have thoughts?

24 UNIDENTIFIED PERSON: 100 percent.

1 CHAIRPERSON TIMMERMAN: 100 percent.

2 UNIDENTIFIED PERSON: If it's already there,
3 it would be, like, grandfathered in. Two years.

4 MS. STACY: Two years is statutory. You
5 can't make it less than two years.

6 MS. LAND: You can give them more time if
7 you wanted, but not less than two years.

8 CHAIRPERSON TIMMERMAN: You said keep it
9 initially.

10 UNIDENTIFIED PERSON: It depends on what it
11 is. That's the problem. That's why I like the 60
12 percent.

13 UNIDENTIFIED PERSON: I'm just saying I love
14 everything about the zoning except for one thing.
15 Once it gets voted in, can that one thing be changed?

16 UNIDENTIFIED PERSON: It's very difficult.

17 MS. LAND: Are you asking me?

18 UNIDENTIFIED PERSON: Anybody.

19 MS. LAND: A zoning book is a living
20 document. It can be amended and changed; but if
21 there's something that, you know, is a big issue now,
22 I mean, you might want to address it now before it
23 gets --

24 MR. REHUS: I don't. I just --

1 MS. LAND: Oh, you mean if there is
2 something you don't --

3 UNIDENTIFIED PERSON: Yeah.

4 MS. LAND: Oh, yes, yes. Absolutely.

5 CHAIRPERSON TIMMERMAN: If we decide we
6 don't like the 60 percent or the 100 percent --

7 UNIDENTIFIED PERSON: I could talk to
8 somebody in the township, you know; and they might
9 say, "Why, I love it except for this one thing, so I'm
10 going to vote against it." Well, can that -- Once it
11 gets approved, gets voted on, can that one thing
12 possibly be changed?

13 MS. LAND: Yes. There's always the ability
14 to amend it. It goes through a hearing process, a
15 shorter hearing process than what we have for
16 initially putting it into effect; but it's doable.

17 A lot of zoning ordinances get amended. And
18 they should be amended periodically to keep up with
19 the times, you know, the things that are changing,
20 because right now they are discussing everything and
21 trying to figure out what sounds good. And it looks
22 good on paper; but in a year we might decide, boy,
23 that really didn't work out. Then they can go back
24 and they can adjust it.

1 UNIDENTIFIED PERSON: I don't know how you
2 ever figure out 60 percent.

3 CHAIRPERSON TIMMERMAN: Well, that's set by
4 an appraisal by the County auditor. I get it.

5 UNIDENTIFIED PERSON: Well, I think you're
6 going to get into more legal trouble at that point.
7 Well, wait a second. I've got, you know -- I'm only
8 52 percent. I think --

9 MS. LAND: The auditor makes the
10 determination of valuation based on if something is
11 damaged for taxes; and that's what they use. But,
12 again, that's one of those things people argue about.
13 100 is pretty clear.

14 CHAIRPERSON TIMMERMAN: It is clear.

15 Darrin, I'm pointing back at you because you
16 said keep it.

17 MR. REHUS: I still think 60.

18 CHAIRPERSON TIMMERMAN: You still think 60.

19 MR. REHUS: I say keep it.

20 MS. PARGEON: Well, if the building is
21 salvageable, you know, the other half isn't destroyed
22 or whatever, then I would say keep it and build onto
23 it.

24 UNIDENTIFIED PERSON: Let's say a wind

1 turbine blade fell on your garage.

2 CHAIRPERSON TIMMERMAN: It's probably only
3 60 percent.

4 MS. PARGEON: Yeah. Yeah. It will only be
5 60 percent.

6 MS. STACY: So the Hancock County auditor is
7 going to be -- would need to weigh in on that.

8 MS. LAND: Yeah. They -- they make a
9 determination for taxes for how much something is
10 damaged; and your taxes are reduced by the amount of
11 the damage that you had during the time that it's
12 storm damage or fire damage or earthquakes or
13 whatever, you know.

14 CHAIRPERSON TIMMERMAN: Yep.

15 MS. LAND: It seems to be a big thing around
16 Ohio. They keep having them in northeast Ohio. So --

17 CHAIRPERSON TIMMERMAN: Deb, do you have a
18 vote on that?

19 MS. LAND: If you keep it at 60 percent and
20 it comes along that there is a real issue with feeling
21 like how you can get it determined, that's one of
22 those things you can revisit and decide it's not worth
23 the hassle we have with people about the 60 percent
24 and change it to zero percent, absolutely nothing,

1 you know. As long as they have -- they were there,
2 okay, it doesn't matter how much is left. It's zero
3 percent. If it's 100 percent destroyed, they can
4 still come back.

5 It's up to you guys, but this is what was in
6 before.

7 MR. CORDONNIER: I'll say anything in
8 this -- This is the 60 percent, the 75 percent. It is
9 difficult to -- to -- Is the building destroyed 60
10 percent or 70 percent?

11 MS. STACY: Right.

12 MR. CORDONNIER: I know during the flood,
13 flood-damaged homes were required to submit an
14 estimate from a contractor; and that's -- and that
15 estimate to repair the home is what was used to
16 determine if it was over 50 percent damaged in the
17 city of Findlay.

18 But this is a pretty standard type language.
19 So I just want to let you know, like, this isn't the
20 first time. Like, this is pretty standard. Whether
21 it's 60, 75, whatever you choose, I don't have any
22 strong feelings about -- Whatever you choose, it
23 doesn't give me heartburn either way.

24 CHAIRPERSON TIMMERMAN: I was okay with the

1 60. Are you okay with the 60?

2 MR. REHUS: Yes.

3 CHAIRPERSON TIMMERMAN: You're still okay
4 with 60? We'll just keep it for right now. Is
5 everybody --

6 MS. PARGEON: Yes. Yes.

7 C: Should such structure be removed for any
8 reason, for any distance whatever, it shall thereafter
9 conform to the regulations for the district for which
10 it is located after it is moved.

11 Okay. D: Nonconforming uses of structures
12 and land.

13 If a lawful use of a structure, or of a
14 structure and land in combination, exists at the
15 effective date of adoption or amendment of this
16 resolution that would not be permitted in the district
17 under the terms of this resolution, the lawful use may
18 be continued so long as it remains otherwise lawful
19 subject to the following provisions:

20 A: No existing structure devoted to a use
21 not permitted by this resolution in the district in
22 which it is located shall be enlarged, extended,
23 constructed, reconstructed, moved or structurally
24 altered except in changing the use of the structure to

1 a use permitted in the district in which it is
2 located.

3 B: Any nonconforming use may be extended
4 throughout any parts of a building which were
5 manifestly arranged or designed for such use and which
6 existed at the time of adoption of the amendment of
7 this resolution, but no such use shall be extended to
8 occupy any land outside such building.

9 C: If no structural alterations are made,
10 any nonconforming use of a structure or structures and
11 land in combination may be changed to another
12 nonconforming use of the same or a more restrictive
13 classification provided that the Board of Zoning
14 Appeals, either by general rule or by making findings
15 in the specific case, shall find that the proposed use
16 is equally appropriate and more appropriate to the
17 district than the existing nonconforming use. In
18 permitting such change, the Board of Zoning Appeals
19 may require conditions and safeguards in accord with
20 the purpose and intent of this resolution. Where a
21 nonconforming use of a structure, land or structure
22 and land in combination is hereafter changed to a more
23 conforming use, it shall not thereafter be changed to
24 a less conforming use.

1 D:

2 MS. LAND: Anybody have any -- That was kind
3 of a busy paragraph.

4 MS. PARGEON: Very much.

5 MS. STACY: It's wordy.

6 MS. PARGEON: D: Any structure or structure
7 and land in combination in or on which nonconforming
8 use is superseded by the permitted use shall
9 thereafter conform to the regulations of the district
10 in which such structure is located, and the
11 nonconforming use may not thereafter be resumed.

12 MS. LAND: Wait a minute. Okay.

13 MS. PARGEON: E: When a nonconforming use
14 of a structure or structures and land in combination
15 is discontinued or ceases to exist for two years, the
16 structure or structure and land in combination shall
17 not thereafter be used except in conformance with the
18 regulations of the district in which it is located.
19 Structures occupied by seasonal uses shall be excepted
20 from this provision.

21 CHAIRPERSON TIMMERMAN: The two years is the
22 minimum? Is that what you guys were saying earlier?

23 MS. LAND: Yeah.

24 MS. PARGEON: F: Mobile homes occupied on

1 the effective date of this resolution may be replaced
2 by a mobile home of not less floor area than the
3 original mobile home provided yard setbacks
4 appropriate to the district are maintained.

5 MS. LAND: With our definitions of mobile
6 and manufactured homes, we probably ought to change
7 that to mobile/manufactured.

8 MS. PARGEON: I agree with that.

9 MS. STACY: Didn't we have something about
10 it wasn't supposed to be older than --

11 MS. PARGEON: Five years old.

12 MS. STACY: Is that new to the --

13 MS. PARGEON: Well, if you replace it, you
14 would want a new one. You wouldn't want a --

15 MS. LAND: You never know.

16 I will go through and make the changes in
17 the book for every place it says mobile home to say
18 mobile/manufactured -- mobile/manufactured homes.

19 MS. PARGEON: Well, I have a manufactured
20 home.

21 MS. LAND: The definition of manufactured
22 home and mobile home are the same except for the time
23 when they were built. The older ones are mobile.
24 Anything past -- what was the date? -- 1975 or

1 something like that --

2 CHAIRPERSON TIMMERMAN: I thought it was in
3 the 80's.

4 MS. LAND: I don't remember.

5 -- it's considered a manufactured home.

6 MS. PARGEON: Because mine is on a concrete
7 cement block.

8 MS. LAND: It had a chassis and wheels at
9 one point?

10 MS. PARGEON: To bring it over.

11 MS. LAND: Okay. So that's manufactured.

12 And then the ones that come in and are stick built and
13 come in on a flatbed are modular.

14 MS. PARGEON: Yes.

15 MS. LAND: That's what our definitions have.

16 MS. PARGEON: Should we stick modular in
17 there?

18 MS. LAND: Modular homes have to be treated
19 the same as any stick-built home on the --

20 MS. PARGEON: Okay.

21 MS. LAND: -- property.

22 MR. CORDONNIER: It probably will never come
23 up; but E, I don't -- structures occupied by seasonal
24 uses shall be exempt -- seasons happen every year. I

1 mean, if you don't -- I'm just saying if you don't use
2 it, whether it's a vacation home, you didn't use it
3 for two, so it's been vacant, it's still two years.
4 Or if it's a greenhouse, you're still skipping two
5 years. So I would personally just strike that
6 seasonal structure exemption.

7 MS. STACY: Okay.

8 MR. CORDONNIER: C. I still -- I haven't
9 digested C.

10 CHAIRPERSON TIMMERMAN: Yeah. Here is what
11 I was looking for. There is a section of Revised Code
12 about permanently sited manufactured homes. It became
13 effective in 1999.

14 Except as provided in Division B of this
15 section, which has some -- how a manufactured home is
16 permanently sited, do not confer any power on Township
17 Zoning Commission, Board of Township Trustee or Board
18 of Zoning Appeals the authority to prohibit or
19 restrict the location of a permanently sited
20 manufactured home as defined in Division C-6 of
21 Section 3781.06, which is what we used.

22 So when we get down to mobile homes, we're
23 going to have to remember some of this stuff. Okay?
24 It makes a difference, which makes me wonder about F,

1 if we're allowed to even have that. I think we should
2 say mobile or manufactured homes not sited on the
3 permanent site.

4 MS. PARGEON: Uh-huh. Okay.

5 CHAIRPERSON TIMMERMAN: [Unintelligible].

6 MR. CORDONNIER: I think I know -- I think I
7 understand the intent of that, at least the last part
8 of it. If you have a nonconforming use and it gets --
9 the BZA allows it to go to a less conforming -- or a
10 more -- a more conforming --

11 MS. LAND: A less nonconforming use.

12 MR. CORDONNIER: Yeah. You can't go back.
13 You can't go back.

14 MS. STACY: Right.

15 MS. LAND: But the question is, do you want
16 to have it be able to morph into other nonconforming
17 uses? What's a less nonconforming use?

18 MS. STACY: That's true.

19 MS. PARGEON: [Unintelligible].

20 MS. LAND: Well, if it's a business maybe
21 and it goes into a multifamily in a residential area,
22 it's still residential, but it's not nonconforming,
23 but it's less nonconforming than a business use.
24 That's a really weird, slippery slope for you guys to

1 make a determination on. You know, it either stays
2 what it is, or it goes to nonconforming is another
3 option instead of this in between section you have
4 here.

5 MR. CORDONNIER: I just -- Do all the
6 townships have BZA?

7 MS. LAND: Uh-huh.

8 MR. CORDONNIER: Okay. I'm just dealing
9 with some of the villages. They just have a really
10 hard time keeping boards.

11 MS. LAND: Oh, yeah. We do too. It's a
12 dangerous thing to do these days.

13 MR. CORDONNIER: Just sometimes they don't
14 meet for three years; and then all of a sudden, they
15 have a need to meet.

16 MS. LAND: I tried to encourage the
17 townships to have -- Even if they don't have anything
18 in front of them, the zoning commission, the BZA at
19 least have an organizational meeting each year, get an
20 update from the zoning inspector on what's been going
21 on in the past year, and, you know, stay a little
22 fresh on what's going on; but some of them, you know,
23 they don't -- they don't meet for years. There's
24 nothing that comes before them.

1 MR. CORDONNIER: [Unintelligible].

2 MS. LAND: Yeah.

3 CHAIRPERSON TIMMERMAN: Do you want to
4 change C then?

5 MS. LAND: Do you want to keep C, or do you
6 want to --

7 CHAIRPERSON TIMMERMAN: I would almost tend
8 to go towards if it's -- if it's changing from
9 nonconforming, you'd have to go to conforming for
10 simplicity.

11 MR. CORDONNIER: I'm of the opinion -- I
12 mean, I like the flexibility; and the Board gets to
13 make the decision.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MR. CORDONNIER: Sometimes just black and
16 white doesn't -- Black and white doesn't always
17 anticipate --

18 CHAIRPERSON TIMMERMAN: Sure.

19 MR. CORDONNIER: -- that everyone is in
20 favor of it; but we don't have the method, you know.

21 CHAIRPERSON TIMMERMAN: Right. Right.

22 MR. CORDONNIER: That's -- that's the
23 converse of that.

24 CHAIRPERSON TIMMERMAN: Yeah. I think the

1 flexibility is good. I was looking at it from the
2 stance that it took you reading through it to, like,
3 say what is the intent here.

4 MR. CORDONNIER: It's written poorly. We
5 can definitely rewrite it.

6 MS. LAND: Flexibility is good; but once you
7 have something that gives you a subjective decision,
8 you got to be very cautious that you set a standard
9 that you stay by --

10 CHAIRPERSON TIMMERMAN: Right.

11 MS. LAND: -- because otherwise you have the
12 potential for being accused of being arbitrary and
13 then not treating everybody in the same manner.

14 It's -- it's a real easy thing to fall into,
15 because everybody that comes in front of you is going
16 to have a different kind of situation, and you'll
17 evaluate them differently; but, you know, the one who
18 gets a no will not see it that way.

19 So keep that in mind if that's the approach
20 you want to take. Clearly, it's what the last group
21 thought was a good idea because it was already in
22 here, so --

23 MS. PARGEON: Leave it in there. Leave it.

24 CHAIRPERSON TIMMERMAN: Leave it. Keep it.

1 MS. STACY: If we can rewrite it, we can try
2 to make it a little more --

3 CHAIRPERSON TIMMERMAN: Okay.

4 MR. CORDONNIER: That's my -- I have to get
5 my seventh grader up to Perrysburg for basketball
6 practice. Sorry for --

7 MS. PARGEON: Thank you for coming and
8 giving us the time you have given us.

9 MS. LAND: The PUD stuff was invaluable.
10 Thank you.

11 I'm trying to color code my notes here. I'm
12 going to turn this stuff green, which means I need to
13 go in and figure out how to rewrite it.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: Just shortening down those
16 sentences will be a good thing.

17 CHAIRPERSON TIMMERMAN: You good?

18 MS. LAND: Oh, yeah. Yeah.

19 CHAIRPERSON TIMMERMAN: Okay. No. 4:
20 Change of tenancy.

21 MS. PARGEON: Change of tenancy or
22 ownership.

23 There may be a change of tenancy, ownership
24 or management of any existing nonconforming use of

1 land, of structures or of structures and land in
2 combination.

3 Section 1503. Accessory buildings and uses.

4 Accessory buildings and uses, except as
5 otherwise permitted in this resolution, shall be
6 subject to the following regulations:

7 1: Where the accessory building is
8 structurally attached to a main building, it shall be
9 subject to and must conform to all regulations of this
10 resolution applicable to the main building.

11 2: Accessory buildings and uses shall not
12 be erected in any minimum side yard setback, nor in
13 any front yard unless otherwise provided in this
14 resolution.

15 3: An accessory building shall not occupy
16 more than 25 percent of a required rear yard provided
17 that in a residential district the accessory building
18 shall not exceed the ground floor area of the main
19 building, nor shall accessory buildings be located
20 closer than 5 feet to both the rear lot line and the
21 side lot lines.

22 MS. LAND: Okay. Stop a minute here.

23 MS. PARGEON: Okay.

24 MS. LAND: Nor shall any accessory buildings

1 be located closer than 5 feet to both the rear lot
2 line and the side lot lines.

3 You have setback lines already.

4 MS. PARGEON: Yeah.

5 MS. LAND: So I'm not sure how this 5 feet
6 works here.

7 MS. PARGEON: More than 25 -- Yeah.

8 CHAIRPERSON TIMMERMAN: Point No. 2:
9 Accessory buildings and uses shall not be erected in
10 any minimum side yard setback, nor any front yard
11 unless otherwise provided in this resolution.

12 What happens in the scenario where a house
13 is located very far back on their property?

14 MS. LAND: Still.

15 CHAIRPERSON TIMMERMAN: I understand in that
16 scenario, but is that something that could we remove
17 that front yard thing?

18 MS. LAND: You don't want to do that.

19 CHAIRPERSON TIMMERMAN: You don't want to do
20 that?

21 MS. LAND: No. No.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: You can if you want to, but --

24 CHAIRPERSON TIMMERMAN: In general, you

1 don't want to?

2 MS. LAND: -- start thinking about the
3 scenarios that could happen if he can put accessory
4 buildings in the front yard.

5 CHAIRPERSON TIMMERMAN: I don't disagree. I
6 know a guy that has a house way at the back of the
7 property. He wants to put up a building. So it would
8 be a scenario where he would --

9 MS. LAND: He would have to ask for an area
10 variance then to be able to put it in an area where it
11 wouldn't normally be allowed.

12 CHAIRPERSON TIMMERMAN: Okay. So it's
13 still --

14 MS. LAND: Did he build his house?

15 CHAIRPERSON TIMMERMAN: Him personally, no.

16 MS. LAND: He bought it built?

17 CHAIRPERSON TIMMERMAN: Yeah.

18 MS. LAND: Okay. If he built the house and
19 put it so far back that there's no room in the back
20 and then comes for an area variance to put it in the
21 front, then you have a problem finding an ability to
22 give a variance because he created that problem
23 himself.

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: But if it's already built and
2 this is where it is on the lot, he didn't create that
3 problem, but the problem exists, and it's for him. So
4 there is an option to look at that. I don't know that
5 that's a --

6 CHAIRPERSON TIMMERMAN: [Unintelligible].

7 MS. LAND: -- great approach.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. PARGEON: No. 4: No detached accessory
10 building shall be located closer than 10 feet to any
11 main building.

12 5: No detached accessory building in an
13 R-1, R-2, or an RM-1 district shall exceed one story
14 of 14 feet in height, nor exceed the height of the
15 main building on the premises.

16 MS. LAND: Okay. The R-2 needs to come out
17 because we don't have that anymore.

18 MS. PARGEON: Okay. Accessory buildings in
19 all other districts may be constructed to equal the
20 permitted maximum height of structures in said
21 districts subject to zoning commission review and
22 approval if the building exceeds one story or 14 feet
23 in height.

24 6: When an accessory building is located on

1 a corner lot, the side lot line of which is
2 substantially a continuation of the front lot line,
3 yeah, of the lot to its rear, said building shall not
4 project beyond the front yard setback required on the
5 lot to the rear of such corner lot. In no instance
6 shall an accessory building be located nearer than 10
7 feet to a street right-of-way line.

8 7.

9 MS. LAND: We're, again, looking at setbacks
10 that are closer for accessory buildings to lot lines
11 than we had for -- for the houses. Do you want to
12 leave them at 5 feet and at 10 feet?

13 MS. PARGEON: Yeah, because you don't want
14 it closer.

15 CHAIRPERSON TIMMERMAN: Yes, that is closer.

16 MS. LAND: It is way closer. In a
17 residential district, we have --

18 CHAIRPERSON TIMMERMAN: 12 feet.

19 MS. LAND: 12 feet on the sides, yeah, 35 on
20 the rear.

21 If somebody has a shed or a small garage,
22 you don't want it 35 feet off the back. They might
23 want to put it in the back corner of their lot.

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: So I mean, you can have a smaller
2 setback for accessory buildings if you want. The
3 question is, is five and ten what you want? Five is
4 pretty small when you're looking at beside a building.

5 MS. STACY: Yeah.

6 CHAIRPERSON TIMMERMAN: So is five going up
7 to Section 3 there? Is that what you're looking at?

8 MS. LAND: Yes. I know in Marion Township
9 that's 10 feet there.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: And that's just I know because I
12 live there, and that's what I had to worry about.

13 So you can alter it to be ten, seven. Less
14 than five seems kind of crazy, not the way to make
15 good neighbors by putting your shed right on the lot
16 line.

17 CHAIRPERSON TIMMERMAN: I think ten seems
18 reasonable.

19 MS. PARGEON: Yeah.

20 MS. LAND: Is that the consensus, then?
21 Change it to ten?

22 MR. REHUS: Yes.

23 CHAIRPERSON TIMMERMAN: And that's for
24 No. 3?

1 MS. LAND: Yes.

2 CHAIRPERSON TIMMERMAN: No. 6. Does ten
3 still make sense to the street?

4 MS. LAND: Yes, I think.

5 CHAIRPERSON TIMMERMAN: It's the same
6 scenario.

7 MS. PARGEON: Ready for No. 7?

8 The parking of a mobile home for periods
9 exceeding 24 hours on lands not approved for mobile
10 home parks shall be expressly prohibited except that
11 the zoning inspector may extend temporary permits
12 allowing the parking of a mobile home in a rear yard
13 on private property not to exceed a period of two
14 weeks. The parking and/or storage of campers,
15 recreational vehicles, boats or boat trailers and
16 other mobile recreational apparatus shall be in
17 accordance with and respect all requirements
18 applicable to accessory structures insofar as distance
19 from principal structures, lot lines and easements are
20 concerned. All trailer vehicles parked or stored
21 shall not be connected to sanitary facilities and
22 shall not be occupied.

23 MS. LAND: Okay. Let's -- let's pick apart
24 this No. 7 a little bit here.

1 MS. PARGEON: Well, if one comes in and
2 can't be set up right then, you're going to have to
3 sit somewhere.

4 MS. LAND: You guys okay with these
5 provisions, or do you have a question about it?

6 MS. PARGEON: If it's in the country, leave
7 it set. If your home is in the country --

8 MS. LAND: So you like the two-week limit?

9 CHAIRPERSON TIMMERMAN: I mean, to me you
10 should be able to plan like when you're bringing it in
11 within two weeks. I think two weeks is -- I wouldn't
12 want to go more than two weeks I don't think.

13 MS. LAND: I think where -- After two weeks
14 I think we need to switch that to be a new paragraph.

15 We have it's parking of mobile homes for a
16 period of, you know, exceeding 24 hours, blah, blah,
17 blah. I think --

18 My automatic number is making everything
19 seven now. How weird.

20 Then the next one is about parking and
21 storage of campers and recreational vehicles, and I
22 think it's a different concept there than a mobile
23 home that's come in and not been set up there.

24 CHAIRPERSON TIMMERMAN: You're saying No. 8

1 there?

2 MS. LAND: Yes.

3 CHAIRPERSON TIMMERMAN: Everybody else good
4 with the two weeks?

5 MR. REHUS: Yes.

6 MS. PARGEON: Yes.

7 MS. STACY: So 8 would start with --

8 MS. LAND: The parking and/or storage of
9 campers.

10 Do you want to have anything about the
11 storage and parking, where they can be stored on the
12 lots? You don't want them stored --

13 Oh, no. It's fine. It's applicable to
14 accessory structures, so they're not going to have
15 them in the front yard.

16 You know, it's not a big deal to have
17 somebody pull in a mobile home or a motor home into
18 their driveway; but if it sits there all winter or all
19 summer, it starts to really annoy neighbors. I don't
20 know why, but it does.

21 So it's something that you guys have to --
22 because you'll get complaints about it being there
23 unless you have some rule that says this is where it
24 is allowed or isn't allowed. That's why it has to be

1 addressed.

2 Ready to go on to off-street parking?

3 CHAIRPERSON TIMMERMAN: I think so.

4 MS. PARGEON: Want to go ahead and read?

5 CHAIRPERSON TIMMERMAN: Not really. Sure.

6 MS. PARGEON: Oh, Okay.

7 Section 1504. Off-street parking
8 requirements.

9 There shall be provided in all districts, at
10 the time of erection or enlargement of any main
11 building or structure, automobile off-street parking
12 space with adjacent access -- adequate access to all
13 spaces. The number of off-street parking spaces, in
14 conjunction with all land or building uses, shall be
15 provided prior to the instance -- What?

16 MS. LAND: Issuance.

17 MS. PARGEON: -- issuance of a --

18 MS. LAND: Certificate of Occupancy.

19 MS. STACY: You're getting tired.

20 MS. PARGEON: I'm getting tired. You read.

21 CHAIRPERSON TIMMERMAN: I'll read.

22 -- prior to the issuance of a Certificate of
23 Occupancy as hereinafter prescribed.

24 No. 1: Off-street parking spaces may be

1 located within a rear yard or within a side yard which
2 is in excess of the minimum side yard setback unless
3 otherwise provided in this resolution. Off-street
4 parking shall not be permitted within a front yard or
5 a side yard setback unless otherwise provided in this
6 resolution.

7 No. 2.

8 MS. LAND: And that's -- and that's
9 referencing the part of the chart that we had where
10 they -- In some of the business areas, they say they
11 can have parking in the front yards, they can have
12 parking in some of the side yards and in the
13 multifamily.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: Part of why I bring this stuff up
16 is because you guys need to know this book inside and
17 out, and so --

18 MS. PARGEON: We appreciate it.

19 MS. LAND: Teaching moments.

20 MS. PARGEON: Good.

21 CHAIRPERSON TIMMERMAN: No. 2: Off-street
22 parking for other than residential use shall be either
23 on the same lot or within 300 feet of the building it
24 is intended to serve, measured from the nearest point

1 of the building to the nearest point of the off-street
2 parking lot. Ownership shall be shown of all lots or
3 parcels intended for use -- for use as parking by the
4 applicant.

5 No. 3: Required residential off-street
6 parking spaces shall consist of a parking -- a parking
7 stripe --

8 MS. STACY: Stripe.

9 MS. LAND: -- parking bay, driveway, garage
10 or combination thereof.

11 It means you have to mark them. They can't
12 have open gravel lots. They want them to be marked.

13 CHAIRPERSON TIMMERMAN: Got you.

14 -- parking bay, driveway, garage or
15 combination thereof and shall be located on the
16 premises they are intended to serve and subject to the
17 provisions of Section 1503, Accessory Buildings, of
18 this resolution. Okay.

19 Any area once designated as required
20 off-street parking shall never be changed to any other
21 use unless -- unless and until equal facilities are
22 provided elsewhere.

23 No. 5: Off-street parking existing at the
24 effective date of this resolution in connection with

1 the operation of an existing building or use shall not
2 be reduced to an amount less than hereinafter required
3 for a similar new building or new use.

4 No. 6: Two or more buildings or uses may
5 collectively provide the required off-street parking
6 in which case the required number of parking spaces
7 shall not be less than the sum of the requirements for
8 the several -- several individual uses computed
9 separately.

10 No. 7: In the instance of dual function of
11 off-street parking spaces where operating hours of
12 buildings do not overlap, the Board of Zoning Appeals
13 may grand an exception.

14 No. 8: The storage of merchandise, motor
15 vehicles for sale, trucks or the repair of vehicles is
16 prohibited.

17 No. 9: For those uses not specifically
18 mentioned, the requirements for off-street parking
19 facilities shall be in accord with a use zone -- a use
20 which the Zoning Commission considers similar in type.

21 No. 10: The minimum number of off-street
22 parking spaces by type of use shall be determined in
23 accordance with the following schedule.

24 A: Residential.

1 No. 1: Residential. One-family, two-family
2 or multiple family: Two for each dwelling unit.

3 No. 2: Housing for the elderly. One for
4 each two units and one for each employee, should units
5 revert to general occupancy, then two spaces per unit
6 shall be provided.

7 No. 3: Mobile home park. Two for each
8 mobile home site and one for each employee of the
9 mobile home park.

10 MS. STACY: This is, like, standard
11 language?

12 MS. LAND: It is just sort of formulas for
13 what's standard that is required. Otherwise, you can
14 end up with a Wal-Mart with 15 parking spots, you
15 know. That could be a problem. They're taking up
16 spaces elsewhere to be able to come to downtown
17 Findlay, not enough parking.

18 CHAIRPERSON TIMMERMAN: All right. Letter
19 B: Institutional.

20 Churches. One for each three seats or
21 6 feet of pews in the main unit of worship.

22 No. 2: Hospitals. Two-and-one-half for
23 each one bed.

24 No. 3: Homes for the aged and convalescent

1 homes. One for each four beds.

2 No. 4: Private clubs or lodge halls. One
3 for each three persons allowed within the maximum
4 occupancy load as established by a local, county or
5 state fire, building or health codes.

6 No 5: Private swimming pool, clubs, tennis
7 clubs or other similar uses. One for each 75 square
8 feet of water area and three spaces per tennis court.

9 No. 6: Golf courses except miniature or
10 Par 3 courses. Six for each one golf hole and one for
11 each one employee, plus spaces required for each
12 accessory use, such as a restaurant or bar.

13 No. 7: Stadium, sport arena or similar
14 places of outdoor assembly. One for each three seats
15 or 6 feet of benches.

16 No. 8: Theaters and auditoriums. One for
17 each three seats, plus one for each two employees.

18 Did you want to say something?

19 MS. STACY: No. I was just saying eww.

20 MS. PARGEON: Figuring out the parking
21 spaces, isn't it something how they do that?

22 MS. LAND: Everything needs to be touched.

23 CHAIRPERSON TIMMERMAN: C: Business and
24 commercial.

1 Planned commercial or shopping centers. One
2 for each 200 square feet of floor area.

3 No. 2: Auto wash, automatic. One for each
4 one employee. In addition, reservoir -- reservoir
5 parking spaces equal to -- equal in number to five
6 times the maximum capacity of the auto wash. Maximum
7 capacity of the auto wash shall mean the greatest
8 number of automobiles possible undergoing some phase
9 of washing at the same time, which shall be determined
10 by dividing the length and feet of each wash line by
11 20.

12 No. 3: Auto wash, self-service or coin
13 operated.

14 MS. LAND: Yep. The thing is, these seem
15 kind of cumbersome; but when somebody comes in with a
16 site plan that's drawn up by an engineer, these things
17 are already in there. That's how they --

18 MS. STACY: Okay.

19 MS. LAND: It's just sort of standard. It's
20 boring to have it; but you need to double check it,
21 and you need to have your standard, your minimums.

22 MS. PARGEON: Make sure you have enough
23 parking space for everybody.

24 CHAIRPERSON TIMMERMAN: No. 3: Auto wash,

1 self-service or coin operated. Three for each washing
2 stall in addition to the stall itself.

3 4: Beauty parlor or barbershop.

4 MS. LAND: Do they call them beauty parlors
5 anymore?

6 MS. STACY: No, I don't think so. Salons.
7 I think salon.

8 MS. LAND: Take out beauty parlor and make
9 it salon.

10 MS. STACY: Yeah, I think so. I know. I
11 know.

12 CHAIRPERSON TIMMERMAN: [Unintelligible] my
13 world.

14 All right. Beauty salon or barbershop.
15 Three spaces for each of the --

16 MS. LAND: I think we're taking out beauty
17 too. It's just salon.

18 MS. STACY: Yeah. Yeah. I mean --

19 CHAIRPERSON TIMMERMAN: Okay. Three spaces
20 for each of the first two beauty or barber chairs.

21 MS. STACY: Salon or barber.

22 MS. PARGEON: Yeah.

23 CHAIRPERSON TIMMERMAN: And one and one half
24 spaces for each additional chair.

1 Good, Cindy?

2 MS. LAND: Yes.

3 CHAIRPERSON TIMMERMAN: No. 5: Bowling
4 alleys. Five for each one bowling lane, plus
5 accessory uses.

6 No. 6: Dance halls, pool or billiard
7 parlors, roller or ice skating rinks, exhibition halls
8 and assembly halls without fixed seats. One for each
9 two persons allowed within the maximum occupancy load
10 as established by local, county or state fire,
11 building or health codes.

12 MS. LAND: Do you want to name these things,
13 or do we want to find some term to cover them? Dance
14 halls, are there any dance halls anywhere anymore and
15 billiard parlors?

16 MS. PARGEON: If you want to go to the bars
17 and shoot pool --

18 MS. LAND: How about assembly halls without
19 fixed seats? Assembly -- I don't know what you want
20 to call them. It's the fact that it's without fixed
21 seats is the issue, I think. It's big open places.

22 MS. PARGEON: It's how many people can
23 occupy the building, and they have to --

24 MS. LAND: And that's what --

1 MS. PARGEON: -- figure out the parking
2 spaces.

3 CHAIRPERSON TIMMERMAN: So you're trying to
4 come up with a phrase --

5 MS. STACY: Yeah.

6 MS. LAND: Something other than dance halls
7 and -- Does that kind of take you back to Dodge City?

8 MS. PARGEON: Well, I could -- What? Two
9 parking -- parking places for vehicles.

10 CHAIRPERSON TIMMERMAN: I don't know what
11 you group them as.

12 MS. LAND: I think instead of calling them
13 dance halls, pool or billiard parlors, roller or ice
14 skating rinks, exhibition halls and assembly halls
15 without fixed seating would have public assembly?

16 MS. PARGEON: Yeah. Public assembly would
17 sound --

18 MS. STACY: Do we want the word halls?
19 Public assembly halls without fixed seats maybe?

20 MS. PARGEON: Yes. That would sound a
21 lot --

22 MS. LAND: If I think of something else, I
23 might change it. It's one of these things I walk out
24 and I ask the admin in my office, and they come up

1 with really good words that I can't come up with --

2 MS. STACY: Okay.

3 MS. LAND: -- and then give me pitying
4 looks.

5 MS. PARGEON: Assembly halls without fixed
6 seats. That would shorten it a lot.

7 CHAIRPERSON TIMMERMAN: Tell me when you're
8 ready again.

9 MS. LAND: We're ready.

10 CHAIRPERSON TIMMERMAN: No. 7:

11 Establishment for sale or consumption on the premises
12 of beverages, food or refreshments. One for each 100
13 square feet of floor space.

14 No. 8: Furniture and appliance, household
15 equipment, repair shops, showrooms of a plumber,
16 decorator, electrician or similar trade, shoe repair
17 and other similar uses. One for each 800 square feet
18 of useable floor area. For that floor area used in
19 processing, one additional space shall be provided for
20 each two persons employed therein.

21 No. 9: Gasoline service stations. One for
22 each 150 square feet of floor space.

23 10: Laundromats and coin-operated dry
24 cleaners. One for each five washing and/or dry

1 cleaning machines.

2 11: Miniature -- it should be "or." It
3 says "of." Miniature or Par 3 golf courses. Three
4 for each one hole, plus one for each employee.

5 12: Mortuary establishments. One for each
6 75 square feet of floor space.

7 13: We got motel, hotel or other commercial
8 lodging establishments. One for each one occupancy
9 unit, plus one for each one employee.

10 Are we keeping motel in there? Did we say
11 something about removing the word "motel"?

12 MS. LAND: You may end up with motels.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. STACY: How would -- How about Airbnb's?

15 MS. LAND: That would be other commercial
16 lodging establishments; but it's not, is it? An
17 Airbnb wouldn't have to have, because that's just a
18 residence.

19 MS. STACY: Right.

20 MS. LAND: It would be boarding houses, bed
21 and breakfasts, things that don't fall into the
22 category of hotel and motel, but still rent rooms.
23 Airbnb is renting your whole house out; and you're not
24 there, so you don't have to change your parking.

1 MS. PARGEON: Yeah.

2 MS. STACY: Okay.

3 MS. LAND: I think by saying other
4 commercial lodging establishments, we're going to
5 capture anything that might come along.

6 MS. PARGEON: Right. That makes sense.

7 CHAIRPERSON TIMMERMAN: No. 14: Motor
8 vehicular sales and service establishments. One for
9 each 400 square feet of floor space of sales room and
10 one for each one auto service stall in the service
11 room.

12 15: Retail stores except for -- except as
13 otherwise specified herein. One for each 150 square
14 feet of floor space.

15 D. Offices: No. 1: Banks. One for each
16 150 square feet of floor space.

17 2:

18 MS. LAND: Do we -- do we want to check and
19 see if this is still right for things like banks? We
20 can just leave it. We'll -- If something comes in
21 with numbers that are way different than that, then we
22 can review it and question it; but I don't think a lot
23 of -- some of the places that do most of their
24 business now on-line have as much need for parking,

1 and they may be having those standards change a little
2 bit. It's not that often you go to the bank and stand
3 behind 20 people anymore. You walk in, it's deserted
4 because everybody has done everything on-line. It's
5 still the same concept here. Let's leave it for now
6 and [unintelligible].

7 CHAIRPERSON TIMMERMAN: Who would have that
8 standard? Who establishes that?

9 MS. LAND: I can talk to the engineer. I
10 can ask him if he has any access to that.

11 CHAIRPERSON TIMMERMAN: Is that something
12 that would be easy to change later?

13 MS. LAND: Uh-huh. Yes. It's also
14 something that would be easy to make an exception,
15 when somebody comes in with a site plan, if they have
16 a good explanation for why they have actually only one
17 for every 300 square feet. And you could always
18 allow --

19 MS. PARGEON: So leave that office stuff as
20 it is.

21 MS. LAND: I would leave it as is for now.

22 MS. PARGEON: Yeah.

23 CHAIRPERSON TIMMERMAN: 2: Business offices
24 or professional offices except as indicated in the

1 following Item 3. Oh, okay.

2 One for each 200 square feet of floor space.

3 No. 3: Professional offices or doctors,
4 dentists or similar professions. One for each 75
5 square feet of floor space.

6 Under E, Industrial. No. 1: Industrial or
7 research establishment and related accessory offices.
8 Five plus one for every one-and-a-half employees in
9 the largest working shift. Space on site shall also
10 be provided for all construction workers during
11 periods of plant construction.

12 No. 2: Warehouses and wholesale
13 establishments and related accessory offices. Five
14 plus one for every one employee in the largest working
15 shift.

16 Section 1505. Off-street parking space
17 layout, standards, construction and maintenance.

18 MS. STACY: You want me to read a little
19 bit?

20 CHAIRPERSON TIMMERMAN: Sure.

21 MS. STACY: If I can get my glasses right.

22 Whenever the off-street parking requirements
23 in Section 1504 above require the building of an
24 off-street parking facility, such off-street parking

1 lots shall be laid out, constructed and maintained in
2 accordance with the following standards and
3 regulations.

4 No. 1: No parking lot shall be constructed
5 unless and until a permit therefore is issued by the
6 zoning inspector.

7 No. 2: Plans for the layout of off-street
8 parking facilities shall be in accord with the
9 following minimum requirements.

10 CHAIRPERSON TIMMERMAN: How do you read
11 that?

12 MS. LAND: Hold on.

13 MS. STACY: So we have, like, a chart.

14 MS. LAND: What page is it on?

15 MS. STACY: 48.

16 CHAIRPERSON TIMMERMAN: 48.

17 MS. LAND: It did not translate well into
18 my --

19 Oh, okay. I wouldn't get too worried about
20 these. I think they are standards.

21 MS. STACY: Standard?

22 MS. PARGEON: Yes.

23 MS. STACY: Basically, you're talking about
24 maneuvering lane width, parking space width, parking

1 space length.

2 MS. LAND: I can ask Doug if he has anything
3 on those also.

4 MS. STACY: Okay. Jump to 3?

5 CHAIRPERSON TIMMERMAN: I did compare the
6 table to Washington's before coming, and there's only
7 two numbers I found different.

8 MS. LAND: Are they drastically different?

9 CHAIRPERSON TIMMERMAN: It's in the last two
10 columns, so the total width of one tier of spaces,
11 plus maneuvering lane. For the 54 to 75 degree, it's
12 from 32-and-a-half feet to 36-and-a-half feet, so 4
13 feet difference.

14 And then for the total width of two tiers of
15 spaces, plus maneuvering lane, the last column for the
16 30 to 53 degree pattern, it went from 50 to 52. So it
17 went a 2 feet difference.

18 I wouldn't say drastically different, but 4
19 feet in a parking lot is sometimes a huge
20 difference --

21 MS. LAND: -- when you're trying to clear
22 the car beside you.

23 I will see if there's any standard on this;
24 and if there is, do you want to just go with what the

1 standard is?

2 MS. PARGEON: Yes.

3 MS. STACY: Sure.

4 CHAIRPERSON TIMMERMAN: I would.

5 MS. STACY: No. 3: All spaces shall be
6 provided adequate access by means of maneuvering
7 lanes. Backing directly onto a street shall be
8 prohibited.

9 That would not be safe.

10 No. 4: Adequate ingress and egress to the
11 parking lot by means of clearly limited and defined
12 drives shall be provided for all vehicles.

13 Ingress and egress to a parking lot lying in
14 an area zoned for other than single-family residential
15 use.

16 MS. LAND: That's kind of nonsensical.

17 MS. STACY: Is that really -- Are we not
18 kind of addressing that?

19 MS. LAND: That's like a phrase without
20 any --

21 MS. PARGEON: Purpose?

22 MS. LAND: Yeah.

23 MS. STACY: So, basically, a means in and a
24 means out from a parking lot other than single family.

1 MS. LAND: Yeah, but this is -- but that's
2 not a whole sentence. It's a fragment of a sentence.

3 MS. STACY: Right. I agree. It's not a
4 complete sentence.

5 MS. LAND: It's not a complete thought
6 either. So what do you want to do?

7 MS. PARGEON: Is this at a hotel or some
8 place where there's --

9 MS. STACY: Well, it says any area other
10 than single-family residential. So it could apply to
11 any uses.

12 MS. PARGEON: Yeah.

13 MS. LAND: I'm not seeing why it needs to be
14 there at all.

15 MS. PARGEON: Yeah. An area zoned for other
16 than single-family residential use, is that apartment
17 houses where there's a bunch of families living?

18 MS. LAND: Well, they --

19 MS. STACY: Isn't that kind of already
20 addressed in No. 4?

21 MS. PARGEON: Yeah.

22 MS. STACY: Adequate ingress and egress to
23 the parking lot. There we go. The only qualifier
24 disclaimer is single-family residential use. I don't

1 know.

2 MS. LAND: There's no need for parking lots
3 in single-family residential areas. Well, if it's a
4 single-family residential use, unless you have a lot
5 of kids, including teenagers, I doubt that's going to
6 be a huge problem often.

7 CHAIRPERSON TIMMERMAN: I'm not seeing how
8 it applies.

9 MS. LAND: I think it's something that must
10 have been not edited out the last time. Probably
11 shouldn't be there.

12 MS. STACY: All right.

13 MS. LAND: It sounds like it's just an edit
14 goof.

15 MS. PARGEON: Just take 4 out?

16 CHAIRPERSON TIMMERMAN: Well, now, the --

17 MS. PARGEON: The second, the ingress, the
18 egress, the parking lot line in an area zoned other
19 than single-family residential.

20 MS. LAND: But keep the top one.

21 MS. PARGEON: Yes. Yes, that I did.

22 MS. STACY: All right. No. 5: All
23 maneuvering lane widths shall permit one-way traffic
24 movement except that the 90 degree pattern may permit

1 two-way movement.

2 MS. LAND: Okay. You know, like the
3 Wal-Mart on the west side of town over here, they have
4 two-way traffic and they have angled parking; but it
5 angles different directions, this way or this way.

6 CHAIRPERSON TIMMERMAN: Sure.

7 MS. LAND: That would -- that wouldn't be
8 allowed here. The only way you're going to be able to
9 have two-way traffic is if you have the 90 degree
10 straight-in parking, not the angled parking.

11 MS. PARGEON: That's makes sense.

12 CHAIRPERSON TIMMERMAN: I mean, I've never
13 designed a parking lot before. [Unintelligible].

14 MS. LAND: I really had no idea that there's
15 so much involved with the parking lot. It seems
16 simple.

17 MS. PARGEON: Used to be simple.

18 CHAIRPERSON TIMMERMAN: But clearly in that
19 scenario, somebody decided that was a good idea.

20 MS. LAND: And that's -- that's fine. I
21 mean, they would just have to -- It's fine to leave it
22 that way. Just you wouldn't be able to have the
23 angled parking with two-way between them. I don't
24 know how many places want to have that. A lot of them

1 have the 90 degree --

2 CHAIRPERSON TIMMERMAN: Right.

3 MS. LAND: -- straight in.

4 I don't know if the -- I think the Wal-Mart
5 parking lot does have the straight-in. It's the other
6 stores in the plaza down farther. That parking lot
7 over there by that shoe place, Encanto, they have the
8 angled parking; and you can go either direction.

9 It's kind of confusing; and people always
10 are going the wrong way, trying to turn into the wrong
11 direction parking lot. You have to be coming this way
12 to park on that side and going this way to park on
13 that side; but they see one over here, so they try to
14 go in. Maybe it's a good idea not to have that.

15 CHAIRPERSON TIMMERMAN: Sure.

16 MS. LAND: It's up to you guys. I'm just
17 offering info. You guys decide what you want to do.

18 MS. STACY: I will say it's easier to park
19 at Meijer's than it is at that particular Walmart over
20 there. I think that's an accident ready to happen
21 over there. That's my opinion.

22 CHAIRPERSON TIMMERMAN: Let's keep it then.

23 MS. STACY: No. 6: Each entrance and exit
24 to and from any off-street parking lot located in an

1 area zoned other than single-family residential use
2 shall be at least 25 feet distant from adjacent
3 property located in any single-family residential
4 district.

5 Okay. So we're talking about a parking lot
6 that abuts a single-family residential district; and
7 so we're doing -- giving you a 25-foot separation, and
8 we want some separation?

9 CHAIRPERSON TIMMERMAN: Right.

10 MS. STACY: And I'm guessing 25 feet is
11 standard.

12 CHAIRPERSON TIMMERMAN: Standard. Yes.

13 MS. STACY: No. 7: The off-street parking
14 area shall be provided with a continuous and obscuring
15 screening device of such composition as shall be
16 determined by the zoning commission. This device
17 shall be provided on all sides where the next zoning
18 district is designated as a residential district.

19 What's the screening device? Screening I
20 think like trees and shrubs?

21 MS. LAND: It can be a fence.

22 MS. STACY: A fence.

23 MS. PARGEON: That makes sense if a little
24 kid gets away from somebody, escapes from the car.

1 MS. STACY: You want some buffer between a
2 residential district and parking, and it sounds like
3 it's high volume parking to me.

4 MS. PARGEON: Yeah.

5 MS. STACY: When you say -- Would it be
6 anything other than a fence? Could we say fence
7 obscuring --

8 MS. LAND: It could be --

9 MS. PARGEON: Trees?

10 MS. LAND: It could be pine trees. It could
11 be arborvitae. It could be tall shrubs.

12 MS. STACY: Should we put fence and/or
13 shrubs?

14 MS. LAND: We have a definition of screening
15 that has all that in it.

16 MS. STACY: Okay. All right.

17 MS. LAND: So that would --

18 MS. STACY: We'll leave it.

19 MS. LAND: Yeah, go with that.

20 MS. STACY: All right. When a front yard
21 setback is required, all land between said wall and
22 the front property line or street right-of-way line
23 shall be kept free from refuse and debris and shall be
24 landscaped with deciduous shrubs, evergreen material,

1 and ornamental trees. The ground area shall be
2 planted and kept in a lawn. All such landscaping and
3 planting shall be maintained in a healthy growing
4 condition, neat and orderly in appearance.

5 MS. PARGEON: That sounds good.

6 MS. STACY: 8: The entire parking area,
7 including parking spaces and maneuvering lanes,
8 required under this section shall be provided with
9 asphaltic or concrete surfacing in accordance with
10 specifications approved by the zoning commission. The
11 parking area shall be surfaced within one year of the
12 date the Certificate of Occupancy is issued.

13 And, again, it would make sense that you
14 would want either concrete or asphalt on something
15 that's a high volume parking area as opposed to
16 gravel.

17 MS. LAND: Can I change that to asphalt
18 instead of asphaltic?

19 MS. STACY: I know. Thank you.

20 MS. LAND: Asphaltic, that's weird.

21 MS. PARGEON: They tried different words.

22 MS. LAND: Somebody was trying to write like
23 an attorney [unintelligible] .

24 MS. STACY: Okay. No. 9: All lighting used

1 to illuminate any off-street parking area shall be so
2 installed as to be confined within and directed onto
3 the parking area only.

4 Thank you and please.

5 10: The zoning commission, upon application
6 by the property owner of the off-street parking area,
7 may modify the yard or wall requirements where in
8 unusual circumstances no good purpose would be served
9 by compliance with the requirements of this section.

10 And that's -- that seems to gives a little
11 bit of flexibility. It's not a needed --

12 CHAIRPERSON TIMMERMAN: There's only one
13 section left of off-street. This is loading and
14 unloading, I guess. So --

15 MS. STACY: This was just before --

16 CHAIRPERSON TIMMERMAN: [Unintelligible].

17 MS. STACY: Okay.

18 MS. PARGEON: Loading and unloading. Yes.

19 MS. STACY: Section 1506. Off-street
20 loading and unloading.

21 On the same premises, with every building,
22 structure or part thereof involving the receipt or
23 distribution of vehicles or materials or merchandise,
24 there shall be provided and maintained on the lot

1 adequate space for standing, loading and unloading in
2 order to avoid undue interference with public use of
3 dedicated rights-of-way. Such space shall be provided
4 as follows.

5 That should be a capital S, right?

6 MS. PARGEON: Yes.

7 MS. STACY: No. 1: All spaces shall be
8 provided as required in Article XIV, Schedule of
9 Regulations, under minimum rear yards, Footnote K,
10 except as hereinafter provided for industrial
11 districts.

12 MS. LAND: That Article XIV, Schedule of
13 Regulations, is that the chart that had all the rear
14 and side and back setbacks.

15 And Footnote K is the one that discussed
16 where loading zones could be with regards to some of
17 the backyards and side yards and exceptions.

18 MS. STACY: No. 2: Within an industrial
19 district, all spaces shall be laid out in the
20 dimension of at least 10-by-50 feet, or 500 square
21 feet in area, with a clearance of at least 14 feet in
22 height. Loading dock approaches shall be provided
23 with a paid -- with a pavement having a ductless
24 surface. All spaces in I-1 and I-2 districts shall be

1 provided in the following ratio of spaces to floor
2 area.

3 Okay. So then we have a bunch of numbers.
4 So, again, is this standard --

5 MS. LAND: Probably.

6 MS. STACY: -- language?

7 MS. LAND: We can -- John, do you want to
8 look in some of the other ones and see if they have
9 the same [unintelligible].

10 CHAIRPERSON TIMMERMAN: It's the exact same
11 from Washington.

12 MS. LAND: Okay.

13 MS. STACY: Okay. No. 3. Or did you --

14 CHAIRPERSON TIMMERMAN: Go for it.

15 MS. STACY: All loading and unloading in an
16 industrial district shall be provided off street in
17 the rear yard or interior side yard and shall in no
18 instance be permitted in a front yard. In those
19 instances where exterior side yards have a common
20 relationship with an industrial district across a
21 public thoroughfare, loading and unloading may take
22 place in said exterior side yard when the setback is
23 equal to at least 40 feet.

24 MS. LAND: Changing thoroughfare to

1 road/street.

2 MS. STACY: There you go.

3 CHAIRPERSON TIMMERMAN: We are currently at
4 7:05; and that is the end of the off-street parking
5 and loading and unloading stuff, I think. The next
6 section is uses not otherwise included within a
7 specified -- a specific use district, so I think --

8 MS. LAND: That's going to take some
9 conversation and discussion.

10 CHAIRPERSON TIMMERMAN: Right. This is a
11 reasonable stopping place?

12 MS. LAND: Probably, yes.

13 MS. PARGEON: What time you got?

14 CHAIRPERSON TIMMERMAN: It was 7:05.

15 MS. PARGEON: Good enough.

16 CHAIRPERSON TIMMERMAN: We'll open the floor
17 to any questions, comments, concerns.

18 UNIDENTIFIED PERSON: Just to say I know
19 it's painful, but you guys are only going through it
20 once.

21 CHAIRPERSON TIMMERMAN: It's painful for you
22 or for us?

23 UNIDENTIFIED PERSON: For everybody.

24 MS. STACY: Just painful.

1 CHAIRPERSON TIMMERMAN: We're getting there.

2 MS. PARGEON: But we're doing it legally.

3 MS. STACY: It is necessary.

4 CHAIRPERSON TIMMERMAN: Anybody else?

5 UNIDENTIFIED PERSON: I'm concerned that
6 this parking section is long. It was a little long
7 for like --

8 MS. STACY: It's like I -- I can't think
9 that in many instances that we're going to have --

10 UNIDENTIFIED PERSON: That much parking?

11 MS. STACY: But you have to have it --

12 CHAIRPERSON TIMMERMAN: Yep.

13 MS. STACY: -- yes, to address -- to address
14 it.

15 UNIDENTIFIED PERSON: It should be standard
16 for everything.

17 MS. PARGEON: Yeah. The buildings can only
18 have, you know, so much occupancy; and so they figure
19 two-and-a-half car spaces, parking spaces,
20 two-and-a-half parking spaces.

21 CHAIRPERSON TIMMERMAN: Not that I want to
22 draw out parking longer, but I did realize there is a
23 page that has a diagram. It's only a diagram, no
24 paragraphs.

1 MS. PARGEON: It's a 90 degree and --

2 (Simultaneous speaking.)

3 CHAIRPERSON TIMMERMAN: It just shows the
4 different --

5 UNIDENTIFIED PERSON: Way better. It's like
6 a picture book. Way better.

7 MS. STACY: I think a visual --

8 MS. LAND: We have pictures of several of
9 these places that get really weirdly boring with
10 measures and angles.

11 MS. PARGEON: Yeah.

12 CHAIRPERSON TIMMERMAN: So --

13 MS. PARGEON: Parking layout: 90 degree, 60
14 degree, 45 degree and parallel.

15 CHAIRPERSON TIMMERMAN: I don't think
16 there's much need to go into conversation about it.

17 UNIDENTIFIED PERSON: Let's not do it.

18 MS. PARGEON: No, not today. Not tonight.

19 (Simultaneous speaking.)

20 CHAIRPERSON TIMMERMAN: But -- but since
21 it's fresh in our mind, if anybody did have any
22 questions or concerns about the diagram
23 [unintelligible].

24 UNIDENTIFIED PERSON: Do we have any extra

1 agendas?

2 MS. LAND: There's one. Thank you.

3 CHAIRPERSON TIMMERMAN: Okay.

4 (Simultaneous speaking.)

5 CHAIRPERSON TIMMERMAN: Is that it?

6 Zoey [phonetic] is done. It's official.

7 (Simultaneous speaking.)

8 UNIDENTIFIED PERSON: What's the -- so we're
9 coming to the end of April. What -- Your meetings are
10 scheduled throughout May 2?

11 MS. LAND: Yes.

12 UNIDENTIFIED PERSON: What's your plan?
13 Isn't there a timing thing that you have to --

14 MS. LAND: Well, they have to have it pretty
15 much completed to be able to start the hearing
16 process. If they would like to make the November
17 election, they would have to have it pretty much done
18 by the end of May. So we're trying to push our way
19 through as hard as we can until we get to May 2, and
20 then we will re-evaluate and see if we still need to
21 meet weekly -- biweekly or weekly.

22 MS. STACY: So we have two scheduled for
23 next week, Monday and Thursday; and then maybe --

24 CHAIRPERSON TIMMERMAN: How much heads-up do

1 we have to get before --

2 MS. LAND: I think we probably need to
3 decide on Monday how you want to go from there.

4 CHAIRPERSON TIMMERMAN: See where we're at.

5 MS. LAND: My guess is we're going to
6 continue on for twice a week for a while.

7 MS. PARGEON: That's okay.

8 MS. LAND: Maybe have Mark -- If you want
9 to, Mark can do the notice that you're just doing
10 Mondays and Thursdays now through the end of May if
11 you want. Then if it turns out we don't need them, we
12 can cancel.

13 CHAIRPERSON TIMMERMAN: If we're all
14 thinking we want to do that, do we just give Mark a
15 heads-up now that that's the strategy, so we don't
16 forget it next week and --

17 MS. PARGEON: I make a motion we continue
18 on.

19 MS. STACY: I have -- I have a conflict --

20 CHAIRPERSON TIMMERMAN: She has a conflict.

21 MS. STACY: -- with the one Monday, which I
22 just cannot be here; and I think I kind of need to be
23 here.

24 CHAIRPERSON TIMMERMAN: I don't want to take

1 notes.

2 MS. PARGEON: Which Monday is that?

3 MS. STACY: I believe it's May 6. Let me
4 look it up.

5 CHAIRPERSON TIMMERMAN: The 6th, yes.

6 MS. STACY: And then just the 7th is
7 actually the Township meeting, so that would be --

8 MR. REHUS: Do we just want to skip the 6th?

9 MS. STACY: And -- but I -- but I could do
10 the 8th, 9th or I don't know.

11 CHAIRPERSON TIMMERMAN: [Unintelligible].

12 MS. STACY: I don't -- Do you want -- do you
13 want to do a Friday? Do you want to just do one that
14 week and have homework or --

15 For there on out, I can do the two a week.
16 It's just that week, especially with the trustees
17 meeting being on the Tuesday, that kind of --

18 MS. LAND: I have a conflict on Tuesday
19 night, something else I have to do.

20 MS. STACY: Okay. So --

21 CHAIRPERSON TIMMERMAN: I'll say this.

22 MR. REHUS: Just one that week?

23 CHAIRPERSON TIMMERMAN: Marching out the
24 whole -- going through the table of contents or

1 whatever, whatever you call it, yeah, table of
2 contents, I mapped out for, like, 10ish pages per
3 meeting. Just going through there, it would take ten
4 meetings to get through the entire resolution, which
5 we have -- Where are we at now? We're here. So one,
6 two, three, four, five -- Four more gets us to the end
7 of the book.

8 MS. LAND: So why don't we skip the 6th.

9 CHAIRPERSON TIMMERMAN: Missing one isn't
10 probably going to probably set us back.

11 MS. LAND: And if you realize we're falling
12 back, then we can always schedule in an extra meeting
13 and have it noticed and put out there.

14 CHAIRPERSON TIMMERMAN: How much -- After
15 getting through the resolution, how many more meetings
16 do you foresee?

17 MS. LAND: One.

18 CHAIRPERSON TIMMERMAN: One more after that.
19 Just go --

20 MS. LAND: When you have the final book in
21 your hands to look at it and we'll see if there's
22 anything that you've heard from anybody about it or
23 whatever, then you'll have your -- It has to be
24 completed and available for people to review for 30

1 days before your hearing. And we'll have it uploaded
2 onto the website, and then we'll also have hard copies
3 available here at the office if somebody wants to make
4 an appointment to come in and see it. And maybe each
5 of you guys can have a hard copy or two. If people
6 want to see it, you hand it to them to look at.

7 Is there a public area in the Township you
8 could put it where people can go into? There's a post
9 office --

10 CHAIRPERSON TIMMERMAN: There's a post
11 office.

12 MS. LAND: -- in Van Buren. Do you think
13 they would let you leave it there?

14 CHAIRPERSON TIMMERMAN: Yes, I think she
15 would.

16 MS. LAND: Maybe somebody wants to touch
17 base with her and see about that?

18 CHAIRPERSON TIMMERMAN: Yes. Sure. I'll
19 take care of that [unintelligible].

20 MS. PARGEON: She's nice.

21 MS. STACY: So we can wait until Monday to
22 actually schedule here on out; but just to think about
23 it, possibly the 8th or 9th, that week, that first
24 full week in May. I'm thinking if one of those is

1 better for you than the other --

2 MS. LAND: The 9th we're already doing it.

3 CHAIRPERSON TIMMERMAN: We're scheduled

4 Mondays and Thursdays.

5 MS. STACY: Oh, true. So keep it on.

6 MS. LAND: Just skip the 6th.

7 CHAIRPERSON TIMMERMAN: Just skip the 6th.

8 MS. LAND: So we'll do the 2nd, the 9th,
9 then the 13th, the 16th, the 20th, the 23rd, the 27th,
10 and 30th.

11 CHAIRPERSON TIMMERMAN: Yes.

12 MS. LAND: The 27th is Labor Day -- or
13 Memorial Day.

14 MS. STACY: Yes, traditional.

15 MS. LAND: It's not --

16 MS. STACY: Or the 30th is traditional.

17 That's my -- that's my birthday. So it's regular.

18 MS. LAND: The 27th is the day it's going to
19 be celebrated.

20 MS. STACY: Yeah.

21 MS. LAND: We may not want to do that day.

22 MS. STACY: We may want to do the 28th and
23 30th that week?

24 MS. LAND: The 28th I can't be there. I

1 have another -- I've got a Tuesday night all the way
2 through the end of --

3 CHAIRPERSON TIMMERMAN: Let's just leave the
4 27th out for right now. Again, we have four meetings
5 we need, plus one review, so that's five. And we
6 currently would have one, two, three, four, five, six,
7 seven scheduled.

8 So let's just see how we're coming along
9 once we get to, like, the 16th or whatever; and that
10 would really give us an indication also.

11 MS. PARGEON: So May 2nd, 9th, 13th.

12 CHAIRPERSON TIMMERMAN: 16th.

13 MS. PARGEON: 16th.

14 CHAIRPERSON TIMMERMAN: 20th.

15 MS. PARGEON: 20th, 23rd, 30th.

16 CHAIRPERSON TIMMERMAN: [Unintelligible].

17 MS. STACY: Hey, I was here on my wedding
18 anniversary, so that's dedication. Whatever it takes,
19 I'll do it.

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. STACY: Can I have a motion to adjourn?

22 MS. PARGEON: I make a motion we adjourn.

23 MS. STACY: Okay. I need a second.

24 CHAIRPERSON TIMMERMAN: The stare down.

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MR. CORDONNIER: Second.

MS. STACY: Okay. All in agreement say yes.
Motion passed. We're adjourned.

- - -

And, thereupon, the hearing was adjourned at
7:15 p.m.

- - -

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