

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 29, 2024

9 5:00 p.m.

10 Allen Township Center

11 12829 State Route 613

12 Van Buren, Ohio 45889

13 - - -

14 SUSAN L. COOTS, RPR

15 REGISTERED PROFESSIONAL REPORTER

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1 APPEARANCES:

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9 On behalf of the Allen Township
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson
13 Darrin Rehus, Vice Chairperson
14 Deb Stacy, Secretary
15 Dave Evans
16 Clara Pargeon
17 Matt Cordonnier, Planning Director, Hancock Regional
18 Planning Commission

19 - - -

1 MONDAY EVENING SESSION
2 April 29, 2024
3 5:00 p.m.

4 - - -

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

6 - - -

7 BE IT REMEMBERED THAT, on the 29th day of
8 April, 2024, this cause came on for hearing before the
9 Allen Township Zoning Commission. And the parties
10 appearing in person and/or by counsel, as hereinafter
11 set forth, the following proceedings were had:

12 - - -

13 CHAIRPERSON TIMMERMAN: We're going to call
14 the meeting to order.

15 Start with attendance.

16 Dave Evans.

17 MR. EVANS: Here.

18 CHAIRPERSON TIMMERMAN: Clara Pargeon.

19 MS. PARGEON: Here.

20 CHAIRPERSON TIMMERMAN: Darrin Rehus.

21 VICE CHAIRPERSON REHUS: Here.

22 CHAIRPERSON TIMMERMAN: Deb Stacy.

23 SECRETARY STACY: Here.

24 CHAIRPERSON TIMMERMAN: John Timmerman is
here.

1 SECRETARY STACY: I'll read the minutes.
2 The Allen Township Zoning Commission
3 April 22nd, 2024.

4 Attendance: Clara Pargeon, Darrin Rehus,
5 Deb Stacy, John Timmerman. Dave Evans was absent.

6 Deb Stacy, Allen Township Zoning Commission
7 Secretary read the April 18th, 2024, minutes.

8 24-04-13M. Clara Pargeon moved to approve
9 the Allen Township Zoning Commission minutes from the
10 April 18th, 2024, meeting. Darrin Rehus moved to
11 second. The motion passed.

12 Cindy Land, assistant county prosecutor,
13 announced that the individual --

14 CHAIRPERSON TIMMERMAN: You're reading last
15 time's.

16 SECRETARY STACY: I grabbed the wrong one?
17 I did. I grabbed the wrong one. I
18 apologize.

19 I do have them.

20 The Allen Township Zoning Commission
21 April 25th, 2024. Does that sound right?

22 Attendance. Clara Pargeon, Deb Stacy, John
23 Timmerman. Darrin Rehus arrived at 5:15 p.m. Dave
24 Evans was absent.

1 Deb Stacy, the Allen Township Zoning
2 Commission Secretary read the April 22nd, 2024,
3 minutes.

4 24-04-15M. John Timmerman moved to approve
5 the Allen Township Zoning Commission minutes from the
6 April 22nd, 2024, meeting. Clara Pargeon moved to
7 second the motion. Motion passed.

8 The Allen Township Zoning Commission
9 discussed the scope of a Planned Unit Development,
10 PUD.

11 Matt from Hancock Regional Planning gave
12 examples of PUDs, possible sizes and uses.
13 Application will be made to the Zoning Commission for
14 consideration under this option.

15 In creating a PUD, the developer provides
16 detailed information as outlined in the Zoning
17 Resolution so that the Zoning Commission and the
18 township trustees have a clear understanding of the
19 intent of the project. Once a public hearing is held,
20 approval of the PUD may be granted.

21 The Allen Township Zoning Commission also
22 discussed regulations pertaining to nonconforming
23 lots, land, and structures, as well as off-street
24 parking.

1 Cindy Land informed the commission that
2 zoning does not impact taxes; the actual use
3 determines the tax payment.

4 The Allen Township Zoning Commission will
5 continue working on Article XV, General Provisions.

6 Guests were invited to make comments and
7 offer input on topics pertaining to zoning.

8 Motion 24-04-16M. Clara Pargeon moved to
9 adjourn the meeting. Darrin Rehus seconded the
10 motion. The motion passed.

11 If I can have a motion to approve those
12 minutes.

13 MS. PARGEON: I make a motion.

14 SECRETARY STACY: Clara.

15 CHAIRPERSON TIMMERMAN: I seconded.

16 SECRETARY STACY: John second.

17 All in favor, say "Aye."

18 (Vote taken.)

19 SECRETARY STACY: Motion passed.

20 (Mr. Cordonnier joined the proceedings.)

21 SECRETARY STACY: If you want to go ahead
22 and sign and date.

23 Do you want me just to hold on to this?

24 MS. LAND: Yeah. I have a copy and that

1 will do.

2 I did get ahold of Mark Schimmoeller and
3 gave him -- I emailed to him the list of the next
4 dates that you want after May 2nd because you only
5 gave the notices up to May 2nd.

6 CHAIRPERSON TIMMERMAN: Right.

7 MS. LAND: I gave him -- it's confirmed, so
8 that we're all on the same page, May 9th, 13th, 16th,
9 20th, 23rd, and 30th.

10 CHAIRPERSON TIMMERMAN: Correct.

11 MS. LAND: 5:00 p.m. here.

12 SECRETARY STACY: Can you repeat that one
13 more time.

14 MS. LAND: May 9, 13, 16, 20, 23, and 30.

15 He said he would go about getting the
16 appropriate notices in and things sent to The Courier.

17 SECRETARY STACY: Okay.

18 CHAIRPERSON TIMMERMAN: Anything else?

19 MS. LAND: That's all I have for now.

20 CHAIRPERSON TIMMERMAN: Okay. Does anybody
21 want to read?

22 MR. EVANS: I'll read.

23 Page 50?

24 CHAIRPERSON TIMMERMAN: Page 50 at the

1 bottom. 1507 is the section.

2 MR. EVANS: Section 1507. Uses Not
3 Otherwise Included Within a Specific Use District.

4 Because the uses hereinafter referred to
5 possess unique characteristics making it impractical
6 to include them in a specific use district
7 classification, they may be permitted by the township
8 trustees under the conditions specified, and after
9 public hearing, and after a recommendation has been
10 received from the Zoning Commission.

11 In every case, the uses hereinafter referred
12 to shall be specifically prohibited from any
13 Residential Districts, unless otherwise specified.

14 These uses require special considerations
15 since a service or area larger than the township will
16 require sizable land areas creating problems of
17 control with reference to abutting use districts.
18 Reference to those uses falling specifically within
19 the intent of this section is as follows:

20 1. Outdoor Theaters. Because outdoor
21 theaters possess unique characteristics of being used
22 only after darkness, and since they develop a
23 concentration of vehicular traffic in terms of ingress
24 and egress from the parking area, they shall be

1 permitted in I-1 and I-2 Districts only.

2 Outdoor theaters shall further be subject to
3 the following conditions:

4 A. A proposed internal design shall receive
5 approval from the zoning inspector and the county
6 engineer as to adequacy of drainage, lighting, and
7 other technical aspects.

8 MS. LAND: Hold on a second. Is that
9 something the engineer would normally look at it, or
10 are we asking him do something that is outside the
11 scope of what he does? Do you know?

12 MR. CORDONNIER: Well, I mean, that -- so in
13 the city, yes. The County does not have drainage
14 standards. The County only has drainage standards
15 when the property is be subdivided. So I don't --
16 that's -- I can't speak to that. You'd have to speak
17 to the county engineer.

18 MS. LAND: I'll highlight this and I will
19 ask him about that to see if they are okay with us
20 having him as a required step in here.

21 MR. EVANS: B. Outdoor theaters shall abut
22 a major thoroughfare, and points of ingress and egress
23 shall be available only from such major thoroughfare.

24 C. All vehicles waiting or standing to

1 enter the facility shall be provided off-street
2 waiting space. No vehicle shall be permitted to wait
3 or stand within a dedicated right-of-way.

4 D. The area shall be so laid out as to
5 prevent the movie screening from being viewed from
6 residential areas or adjacent major thoroughfares.

7 All lighting used to illuminate the area
8 shall be so installed as to be confined within and
9 directed onto the premises of the outdoor theater
10 site.

11 MS. LAND: I've already changed
12 "thoroughfare" to "street" or "road/street" all the
13 way through.

14 MR. CORDONNIER: My recommendation is just
15 to move this to a Conditional Use in I-1. You don't
16 have to list all those conditions.

17 SECRETARY STACY: Uh-huh.

18 MR. CORDONNIER: To me, this is -- I mean,
19 they list conditions. To me, it's a Conditional Use.

20 MS. LAND: Just take all of this out, except
21 "outdoor theaters," and put it under Conditional Use.

22 MR. CORDONNIER: I would just put, you know,
23 drive-in, outdoor theater, Conditional Use --
24 permitted Conditional Use, I-1, rather than having

1 this weird section.

2 CHAIRPERSON TIMMERMAN: Just because we're
3 talking Conditional Uses, you said that you have a
4 list of five criteria Conditional Uses meet. Is that
5 generic?

6 MR. CORDONNIER: Yeah.

7 MS. LAND: I've got that. I can bring it to
8 you guys the next time. I'll print it out so you each
9 have a copy of it.

10 CHAIRPERSON TIMMERMAN: Is that something I
11 can find online easily, or is it just --

12 MR. CORDONNIER: Actually the latest update
13 is not online.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MR. CORDONNIER: Should be any day now.
16 I did send it to Cindy.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: I looked and couldn't find it in
19 there.

20 MR. CORDONNIER: They're working with --
21 there's a little delay with the company that hosted it
22 online.

23 MS. LAND: I-1 or I-2?

24 MR. CORDONNIER: I would say I-1.

1 MS. LAND: I would think, but I don't
2 remember what you said.

3 MR. CORDONNIER: I have a feeling when this
4 was written, drive-in movie theaters were a much
5 bigger issue than they are today.

6 SECRETARY STACY: Yeah.

7 MR. EVANS: Go ahead?

8 CHAIRPERSON TIMMERMAN: I'm good. Cindy?

9 MS. LAND: Go ahead. So just all of this
10 that we went through, the paragraphs A through D will
11 then be stricken?

12 MR. CORDONNIER: Yeah. I would delete
13 almost everything that was read and just drive-in
14 theaters --

15 CHAIRPERSON TIMMERMAN: As a Conditional
16 Use.

17 MR. CORDONNIER: -- as a Conditional Use.

18 MS. LAND: Is there a difference between
19 drive-in theaters and outdoor theaters? Because the
20 whole amphitheater for, you know, tiered seating and
21 stuff is starting to be a big --

22 MR. CORDONNIER: Yeah.

23 MS. LAND: -- kind of thing to want to do.
24 They have one in Tiffin. I know it's kind of

1 contemplated for a city park they are talking about.

2 MR. CORDONNIER: There was quite a legal
3 battle up in Whitehouse about a 9,000-seat
4 amphitheater. To me, that's where the definitions --
5 you need to define it.

6 MS. LAND: Is an outdoor theater -- so we
7 need to put "outdoor theater" in Definitions?

8 MR. CORDONNIER: Yeah, I would, and have a
9 discussion. I would discuss drive-in theaters, and
10 I would discuss outdoor tethers and then have a good
11 definition for each.

12 MS. PARGEON: Outdoor theaters have seats?

13 MS. LAND: No. Well, yeah. But they could
14 also not be for movies. They could be for bands --

15 MS. PARGEON: Sure.

16 MS. LAND: -- or whatever they have put on
17 their stage, I guess.

18 MR. EVANS: Maybe daytime use as opposed
19 nighttime.

20 MS. LAND: Some are; some aren't. Some get
21 lights on them. I mean, around the state there are
22 outdoor theaters that are nighttime theaters. Down in
23 southeast Ohio there is a few because it's very hilly
24 and it's easier to make them there.

1 MR. CORDONNIER: Whitehouse just had --
2 Whitehouse is 6,000 people and it was proposed to
3 build a 9,000-seat, so the residents of Whitehouse had
4 a lot of concerns.

5 CHAIRPERSON TIMMERMAN: Sure.

6 MR. CORDONNIER: All of the parking and
7 noise and all that. It went through a lot of court
8 battles and different things.

9 So drive-in theater is one thing. You want
10 to think about outdoor theaters. Honestly, I'd put it
11 as a Conditional Use in I-1.

12 CHAIRPERSON TIMMERMAN: I think they would
13 be pretty similar.

14 MS. LAND: Well, except that with an outdoor
15 theater you have to provide for parking where a
16 drive-in theater is the parking.

17 MR. CORDONNIER: It could be a lot more
18 people.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. EVANS: Commercial television, and radio
21 towers, public utility microwaves, and public utility
22 TV transmitting towers.

23 Radio and television towers, public utility
24 microwaves, and publicly utility TV transmitting

1 towers and their attendant facilities shall be
2 permitted in A-1, I-1, and I-2 Districts. Setbacks
3 shall be determined by the Zoning Commission.

4 MS. LAND: What are those things and are
5 they still prevalent? TV transmitting towers? Do
6 those still exist?

7 MR. CORDONNIER: I'm sure they do, but
8 it's --

9 MR. EVANS: They're really just all towers
10 into one.

11 MS. PARGEON: How about cellphone towers?

12 MS. LAND: Cellphone towers are specifically
13 regulated under 519 for a set of rules that go with
14 them. We can't really put any restrictions on them
15 other than what the statute says we can do with them.

16 I guess there would be no reason to mess
17 with it because they do come up. They are there.
18 Chances are good. They're going to look at that some
19 day and say, Why do they have that there?

20 CHAIRPERSON TIMMERMAN: They'll go on
21 forever.

22 MR. CORDONNIER: I really don't feel
23 comfortable giving any advice about towers. I really
24 don't. Like I said, cellphone towers were a huge

1 thing. People fought them forever, and now they're
2 more of a public utility and they are just everywhere.

3 MS. LAND: And people complain when they
4 don't have them.

5 MR. CORDONNIER: So, I don't know. I don't
6 have much experience dealing with those types of
7 things.

8 MS. LAND: Public utility microwave sounds
9 weird to me. I don't know what that is.

10 SECRETARY STACY: Uh-huh.

11 MR. CORDONNIER: Sounds like old technology
12 to me.

13 MS. LAND: Yeah.

14 MR. EVANS: Go ahead?

15 MS. LAND: Go ahead.

16 MR. EVANS: Applicants intending to
17 establish such uses shall provide the permission with
18 engineering data demonstrating the amount of space
19 needed to assure that a tower collapse would be
20 confined to applicant's property.

21 3. Mobile Home Parks. Because mobile home
22 parks possess site design and density characteristics
23 similar to multiple-family development, they are
24 permitted herein as transitional uses between

1 Multiple-Family and General Business or Light
2 Industrial areas. Mobile home parks shall be
3 permitted in the RM-1, Multiple-Family Residential
4 Districts, the B-3 General Business Districts, and in
5 the I-1 Industrial Districts, subject to the following
6 locational requirement:

7 RM-1. Multiple-Family Residential
8 Districts. Mobile home parks located in RM-1
9 Districts shall abut RM-1 Districts on not more than
10 three sides and shall abut B-3 General Business
11 District or an I-1 Light Industrial District on at
12 least one side.

13 Mobile home parks shall not abut R-1 or R-2
14 Districts and shall have direct access to a major or
15 secondary thoroughfare, a thoroughfare of at least
16 80 feet of right-of-way either existing or proposed.

17 CHAIRPERSON TIMMERMAN: So we don't have
18 R-2. We already took that out, right?

19 MR. EVANS: B-3 General Business or Light
20 Industrial District. Mobile home parks located in B-3
21 or I-1 Districts shall abut B-3 or I-1 Districts on
22 not more than three sides and shall abut an RM-1
23 Multiple-Family Residential District on at least one
24 side. Mobile home parks shall have direct access onto

1 a major or secondary thoroughfare either existing or
2 proposed.

3 A. Required conditions. Lot area. Each
4 mobile home space shall consist of not less than
5 5,000 square feet. Such space shall be clearly
6 defined and marked.

7 MS. LAND: Is that a normal size?

8 CHAIRPERSON TIMMERMAN: Yeah. That's what I
9 saw in the others.

10 MS. LAND: Okay. That seemed big.

11 MR. CORDONNIER: That's -- yeah. That's --
12 I mean, that's the size that we require for a
13 single -- we have smaller single-family lots. 5,000
14 is our medium single-family lot.

15 MS. LAND: Is that big for a trailer park --
16 mobile home park?

17 MR. CORDONNIER: Yes.

18 CHAIRPERSON TIMMERMAN: I thought that was
19 the same as this one.

20 MS. LAND: Well, yeah.

21 MR. CORDONNIER: My advice here would be to
22 either create a mobile home district or put it as a
23 Conditional Use.

24 MS. LAND: Conditional Use where?

1 MR. CORDONNIER: Multi-Family.

2 MS. LAND: And L-1 or L-2?

3 MR. CORDONNIER: I'm not sure.

4 MS. LAND: This is very confusing, trying to
5 figure out where you could put one with the two sides
6 here and three sides there and no more than -- you've
7 got to be kind of careful when you're doing things
8 like this.

9 One of the things for you to look at is you
10 can't make rules that make it so that something can't
11 find a place ever.

12 CHAIRPERSON TIMMERMAN: Sure.

13 MS. LAND: That's exclusionary and you can't
14 do that. So I have no idea if you would be able to
15 find a place to put a mobile home park based on those
16 standards that are there. I'd need to draw a --

17 CHAIRPERSON TIMMERMAN: You wouldn't know
18 until we lay out the map.

19 MS. LAND: Then you're going to have to draw
20 some sort of schematic to figure out that this spot
21 might work.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. LAND: I don't know if we'd ever have
24 any. I don't want to have to have you fiddling with a

1 map to make your areas so you could end up being able
2 to have one, whether somebody wants to put one there
3 or not. They might or might not.

4 One already exists on 220, and that will be
5 grandfathered. But other than that, is there another
6 one in the township? Is there another mobile home
7 park? There's a camping area at -- two -- a couple of
8 camping areas but those don't fall into the same
9 category as a mobile home park.

10 MS. PARGEON: Right.

11 MR. CORDONNIER: I'm sure there's quite a
12 few mobile homes just on individual lots.

13 MS. LAND: Yeah. But if the mobile home has
14 had the title surrendered and put on a permanent
15 fixture, we have to treat them as a residence. It
16 doesn't matter if they are a mobile home.

17 CHAIRPERSON TIMMERMAN: So you're saying
18 we'd be smart to get rid of some of the conditions --
19 the restrictions there or limitations?

20 MS. LAND: We might want to do the same
21 thing we did up there with outdoor theaters and just
22 put these as a Conditional Use somewhere.

23 MS. PARGEON: Yeah. Because they're not as
24 popular as what they used to be.

1 MS. LAND: They are. They are -- mobile and
2 manufactured homes have become far more expensive and
3 nicer, so the mobile home parks are less likely to be
4 the kind of problem they were 30 years ago where there
5 was -- you know, sometimes they could be less than
6 what you wanted.

7 MS. PARGEON: Desirable.

8 MS. LAND: There's a word. So we'll take
9 this and we'll move it to Conditional Use in B-3 and
10 I-1? And RM-1?

11 MR. CORDONNIER: I would just go with
12 Multi-Family.

13 MS. LAND: Just RM-1. What do you guys
14 think of that?

15 CHAIRPERSON TIMMERMAN: I like that idea.

16 MS. PARGEON: Yeah. Yeah, that sounds good.

17 CHAIRPERSON TIMMERMAN: At which point
18 you're getting rid of all of these conditions?

19 MS. LAND: Yeah. Clear down to 4.

20 MR. CORDONNIER: I don't like when they list
21 conditions like that because you can meet all those
22 conditions and still have a really bad item. That's
23 just kind of my two cents. Did you think of all of
24 the conditions that you want to list.

1 CHAIRPERSON TIMMERMAN: Right.

2 MS. LAND: And you never do. They always --
3 somebody can always surprise you with something you
4 weren't expecting.

5 And I'm concerned about the placement issues
6 with the -- like we were just talking about, abutting
7 this and two sides there. It's very difficult. That
8 puts quite a burden on people looking at it to see if
9 they have a place where they can cite what they want
10 to do, and the zoning inspector to be able to support
11 what they're doing. It just keeps it simpler.

12 MS. PARGEON: A lot less heavy.

13 MS. LAND: A lot less possibility of
14 confusion and challenge.

15 MS. PARGEON: Uh-huh.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. LAND: Down to Private Campgrounds.

18 MR. EVANS: So we're all of the way -- okay.
19 Take all of that out?

20 MS. LAND: It's down to Page 53 on mine.

21 MS. PARGEON: Yeah, same here.

22 MR. EVANS: Private Campgrounds.

23 4. Private campgrounds may be permitted in
24 the A-1 Agricultural Districts, provided that the

1 property involved does not abut a residential district
2 and provided the site has access onto a major or
3 secondary thoroughfare in a manner deemed acceptable
4 by the township trustees. Campgrounds shall comply
5 with all applicable state or county regulations and
6 shall be subject to the following additional
7 conditions:

8 A. A setback of not less than 40 feet shall
9 be maintained between the perimeter of the facility
10 and any structure or campsite.

11 MS. LAND: Hold on a second. Are we going
12 to go the same route with this: Take out all of these
13 extra conditions and make it a Conditional Use?

14 MR. CORDONNIER: That's my inclination.

15 MS. LAND: There's no point in reading all
16 of that then.

17 MR. EVANS: Get rid of A, B, and C?

18 MS. LAND: Yeah.

19 MR. CORDONNIER: It's just my -- knowing
20 that there -- we have -- is it two or three
21 campgrounds?

22 MR. EVANS: At least two.

23 CHAIRPERSON TIMMERMAN: Two.

24 MS. LAND: Two. Right.

1 MR. CORDONNIER: Two.

2 MR. EVANS: Because you don't count the
3 State one.

4 MS. LAND: Is there one? I was counting the
5 State one.

6 MS. PARGEON: No. Wilkinson's.

7 MR. EVANS: Pleasant View and --

8 MS. LAND: And the gentleman that was at the
9 meeting.

10 MS. PARGEON: Yeah.

11 MS. LAND: I don't know his name. So there
12 are three.

13 MS. PARGEON: Yeah. Shady Lake.

14 MS. LAND: Oh, right.

15 MS. PARGEON: That's the name of it.

16 MS. LAND: Those will all be grandfathered.

17 SECRETARY STACY: Right.

18 MS. LAND: So it's not going to affect them
19 or damage them by you guys putting in here something
20 that regulates campgrounds.

21 That's a question people may ask because
22 it's human nature that you ask the questions and you
23 worry about the things that are directly going to
24 affect you. You want to know, Is this going to stop

1 me from continuing doing what I'm doing? It may
2 have -- you'll have questions that you'll have to
3 answer at the hearing about, Okay. I currently have a
4 campground. What can I do with it?

5 The State one, we can kind of exclude it
6 because the State has all kinds of regs over local
7 zoning that we don't have a lot of control over them.
8 Usually they play nice, but not always.

9 CHAIRPERSON TIMMERMAN: Will this come out
10 and move to A-1 as a Conditional Use?

11 MS. LAND: Yeah.

12 MR. CORDONNIER: That's probably what I
13 would do. Yeah.

14 MS. LAND: Do we want to keep that first
15 paragraph in?

16 SECRETARY STACY: Yeah.

17 MS. PARGEON: Yeah.

18 MS. LAND: But it talks about the trustees
19 and --

20 SECRETARY STACY: That is true.

21 MS. LAND: Why don't we take it out and just
22 put it as a Conditional Use in Agricultural.

23 SECRETARY STACY: Okay.

24 MS. PARGEON: Okay.

1 MR. EVANS: Ready for 54?

2 MS. LAND: Give me just a second here.
3 I'm struggling.

4 MR. EVANS: This dark green area in the map,
5 It says ODNR, but isn't that actually the private
6 campground? The one that's on 218.

7 SECRETARY STACY: The horse park. We refer
8 to it as the horse park.

9 MR. CORDONNIER: That might be.

10 MR. EVANS: Maybe it doesn't make a
11 difference.

12 MS. PARGEON: The Davies (phonetic) area?
13 Is that what you're talking about?

14 SECRETARY STACY: It's on 218.

15 MS. PARGEON: That's the Davies area for
16 horses.

17 MR. EVANS: This is one that's right by the
18 school, kind of. I want to call it McCracken's, but
19 it hasn't been McCracken's --

20 MS. PARGEON: That's Pleasant View. Yeah.

21 MR. EVANS: That's actually Pleasant View.
22 The private campground where it says ODNR.

23 MS. PARGEON: It's just right next to it.
24 They're just right next to each other across the --

1 well, they took the fence out, so it's --

2 MS. LAND: What would make them ODNR
3 property?

4 SECRETARY STACY: State.

5 MS. PARGEON: State property.

6 MS. LAND: Is that where the State
7 campground is, ODNR?

8 MR. EVANS: Well, it's purple. It's
9 probably correct.

10 MR. CORDONNIER: Yeah.

11 CHAIRPERSON TIMMERMAN: This is the
12 campground on --

13 MR. EVANS: Right. That's a private
14 campground.

15 MS. PARGEON: They're right next door to
16 each other.

17 MR. CORDONNIER: This is the lake.

18 MS. PARGEON: Not all of that is the lake.

19 MR. CORDONNIER: I'm guessing that is the
20 private campground.

21 MS. LAND: Why is it labeled ODNR?

22 MR. EVANS: I'm not sure. That's why I
23 wanted to bring it up.

24 MS. PARGEON: Ohio Department of Natural

1 Resources.

2 MS. LAND: Not for the private campground.

3 MS. PARGEON: Right. Private campground is
4 private.

5 MS. LAND: We've got private campground
6 areas labeled as ODNR.

7 MS. PARGEON: It's right next to it. They
8 abut to each other, but they do not --

9 MR. EVANS: Where this shows, that's
10 actually private.

11 MS. PARGEON: Yeah.

12 MR. CORDONNIER: I think it's just
13 mislabeled.

14 MS. PARGEON: Definitely.

15 MS. LAND: Put a mark on there so we
16 remember to --

17 MR. CORDONNIER: This is the private. Yeah.
18 That's the other private.

19 MR. EVANS: The one you can see from the
20 highway.

21 MR. CORDONNIER: Yeah.

22 MR. EVANS: Ready to move on to Section
23 1508?

24 Plant Materials and Greenbelts. Whenever in

1 this Resolution the greenbelt or planting is required,
2 it shall be planted within six months from the date of
3 issuance of a Certificate of Occupancy and shall
4 thereafter be reasonably maintained with permanent
5 plant materials to provide a screen to abutting
6 properties.

7 Proposed materials to be used and the
8 spacing thereof shall be subject to the review and
9 approval of the Zoning Commission.

10 CHAIRPERSON TIMMERMAN: What's that?

11 MR. EVANS: Go ahead

12 CHAIRPERSON TIMMERMAN: I was going to --
13 Washington, just before the plant material, they had
14 Junkyard and Salvage Yard and Landfill stuff in that
15 section there. I don't know if that's something we
16 want to touch base on that at all yet.

17 MS. LAND: We put all of those in a use
18 district. We have those all in I-1 already, so we
19 wouldn't need to put them in this section.

20 CHAIRPERSON TIMMERMAN: We don't need them
21 at all then?

22 MS. LAND: No.

23 CHAIRPERSON TIMMERMAN: Perfect.

24 MS. LAND: Unless you guys want to move them

1 into this kind of section. But I think, then, that
2 gives the argue -- ability to argue for that in a
3 section other than where you put them.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: We put them in I-2. So we don't
6 want somebody saying we can do this in I-1 because it
7 can go --

8 MR. CORDONNIER: Did we put junkyards and
9 scrapyards in I-1 or I-2?

10 MS. LAND: We put them in I-2, I think.

11 MR. CORDONNIER: Okay. I think you misspoke
12 and said I-1.

13 MS. LAND: Well, we don't want them coming
14 and saying they want to be in I-1.

15 MR. CORDONNIER: Yeah.

16 MS. LAND: We put them, I'm sure, in I-2.
17 If not, I'll fix that, but I'm pretty sure we did.

18 MR. EVANS: Ready to move on?

19 MS. LAND: Uh-huh:

20 MR. EVANS: Section 1509, Signs.

21 1. The following conditions --

22 MR. CORDONNIER: Were we on landscaping?

23 MS. LAND: We did that.

24 MR. EVANS: We were.

1 CHAIRPERSON TIMMERMAN: That was a pretty
2 short paragraph.

3 MR. EVANS: Section 1509. Signs.

4 1. The following conditions shall apply to
5 all signs erected or located in any use district:

6 All signs shall conform to all applicable
7 codes and Resolutions of the township where required,
8 and shall be approved by the zoning inspector and a
9 certificate issued.

10 B. No sign, except those established and
11 maintain by the township, county, state, or federal
12 governments, shall be located in, project into, or
13 overhang a public right-of-way or dedicated public
14 easement.

15 C. No sign otherwise permitted shall
16 project above or beyond the maximum height limitation
17 of the use district in which it is located, except
18 that for a Planned Commercial or a shopping center
19 development involving 5 acres or more under one
20 ownership, the Board of Zoning Appeals may modify the
21 height limit. The board shall, however, respect all
22 yards and setbacks in modifying the height
23 requirements.

24 D. All directional signs required for the

1 purpose of orientation, when established by the
2 township, county, state, or federal government shall
3 be permitted in all use districts.

4 MS. LAND: Can't zone out stop signs.

5 MR. EVANS: E. Accessory signs shall be
6 permitted in any use district, except R-1 and R-2.

7 F. Non-accessory signs shall be permitted
8 only in A-1, Business and Industrial Districts, except
9 that non-accessory signs pertaining to real estate
10 development located within the township and designed
11 to promote the sale of lots or homes within a
12 subdivision located within the township may be
13 permitted on a temporary basis in any use district,
14 but shall not be located upon subdivided land unless
15 such land is part of the subdivision being advertised
16 for sale, and shall be subject to the requirements and
17 conditions of all applicable codes, Resolutions of the
18 township approved by the zoning inspector and a
19 temporary certificate issued.

20 G. Signs used for advertising land or
21 buildings for rent, lease, and/or for sale shall be
22 permitted when located on the land or building
23 intended to be rented, leased, and/or sold.

24 H. Freestanding accessory signs may be

1 located in required front yard, except as otherwise
2 provided herein.

3 MS. LAND: One of the things with the not
4 putting any signs other than county, township, state,
5 or federal in rights-of-way, you'll see people
6 sticking signs for "Real Estate For Sale" or "Open
7 House" signs in the right-of-way. That's not allowed,
8 even if it's on a temporary basis. That's not allowed
9 under State law. It's not just you guys are zoning
10 it. You're not allowed to put anything in the
11 right-of-way.

12 It's not like those are going to hurt
13 anybody, but the concept comes from people can't stick
14 stuff in the right-of-way that, if a car hits it, it
15 will cause somebody damage. So just nothing can go
16 there so there's no argument about what will or won't
17 cause damage if somebody hits it.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MR. EVANS: 2. In addition to 1 above, the
20 following requirements shall apply to signs in the
21 various use district as follows:

22 Use District A and R Districts, A-1 through
23 RM-1.

24 Requirements: For each dwelling unit, one

1 nameplate, not exceeding two square feet in area,
2 indicating name of occupant. For structures other
3 than dwelling units, one identification sign not
4 exceeding 18 square feet in area.

5 RM-1. For rental and/or management offices,
6 one identification sign, not exceeding 6 square feet
7 in area. In RM-1 Districts, signs indicating the name
8 of multiple housing projects shall be permitted,
9 provided no such sign shall be located closer than
10 100 feet to any property line and any adjacent
11 Single-Family District.

12 B-1, B-2, and B-3 Districts. No signs shall
13 project beyond or overhang the wall or any permanent
14 architectural feature by more than 1 foot.

15 B-1, B-2, B-3, I-1 Districts. Freestanding
16 accessory signs shall not --

17 CHAIRPERSON TIMMERMAN: "Exceed" probably.

18 MR. EVANS: -- shall not exceed 48 square
19 feet in area per sign face. Freestanding
20 non-accessory signs shall not exceed 300 square feet
21 in area per sign face.

22 MS. LAND: Still pretty big, aren't they?

23 MR. EVANS: B-2 and B-3 Districts.

24 Freestanding accessory signs or advertising pylons

1 shall not be placed closer than 100 feet to any
2 adjacent Residential District.

3 CHAIRPERSON TIMMERMAN: Should that include
4 B-1? It just said B-2 and B-3.

5 SECRETARY STACY: B-1 is next.

6 MS. PARGEON: That's the next group.

7 MR. EVANS: B-1 should be 100 feet farther
8 away.

9 MR. EVANS: B-1, I-2, and I-2 Districts.

10 Freestanding accessory signs or advertising
11 pylons shall not be placed closer than 200 feet to any
12 adjacent Residential District.

13 MS. LAND: Why are B-2 and B-3 different
14 than B-1, but B-1 is like I-1 and I-2?

15 CHAIRPERSON TIMMERMAN: Right.

16 SECRETARY STACY: That's a good catch.

17 MS. LAND: I have no idea.

18 MR. CORDONNIER: I think that goes to that
19 weird intent that we didn't catch on to with --

20 CHAIRPERSON TIMMERMAN: How the --

21 MR. CORDONNIER: How they were thinking the
22 intensity of each district was. I feel like that
23 needs to be reworded.

24 MS. LAND: So it looks like there's a bigger

1 setback for B-1, I-2, and I-2.

2 CHAIRPERSON TIMMERMAN: At this moment.

3 MS. LAND: And less for B-2 and B-3. Are we
4 okay with that?

5 CHAIRPERSON TIMMERMAN: I don't think it
6 seems right. I would think B-1 would have the
7 smallest setback.

8 MR. CORDONNIER: Well, I mean, signage is
9 complex. It's actually the longest section in our
10 code. In Findlay's code, it's 27 pages long, because
11 there's a million different signs, a million different
12 ways to do it. You could stick with this and rework
13 some of the words, which probably would be the
14 easiest, or you could almost start over a little bit.

15 I would say the biggest difference between
16 this is this allows for pylon signs in almost all of
17 the districts, and that's kind of a trend that's kind
18 of going away.

19 SECRETARY STACY: What is a pylon?

20 MR. CORDONNIER: A tall -- like the Menard's
21 sign.

22 SECRETARY STACY: Okay.

23 MR. CORDONNIER: The Menard's signs, which
24 is the most famous one in Findlay.

1 MS. PARGEON: It stands so tall. It's way
2 up there.

3 MR. CORDONNIER: I've heard in the winter
4 you can see it from Arlington.

5 MS. LAND: Really?

6 MR. CORDONNIER: That's what our old zoning
7 inspector said. He lived in Arlington and he says he
8 could see it at night.

9 MS. PARGEON: He was haunted.

10 MR. CORDONNIER: But, to me, B-1 is kind of
11 like your local business. And, to me, you know, it's
12 your doctor's office, and, so, I guess, the board
13 should think about how much they want pylon signs. Or
14 if they're fine with them, what height they should be
15 because I think this is relying on the underlying
16 zoning district height limitations.

17 So if your district is 60 feet for
18 Industrial, you could have a 60-foot pylon sign.
19 There's just a lot of directions you can go with
20 signage. You can kind of keep with this and just
21 modify it, or you can kind of --

22 MS. LAND: I think with -- yeah. They don't
23 talk about the ES District anywhere. Did you notice
24 that? Expressway Service.

1 SECRETARY STACY: That's where you would
2 expect it.

3 MS. LAND: That's where you would expect the
4 pylon signs, the tall ones.

5 SECRETARY STACY: Yes.

6 MS. LAND: Because, like, Expressway
7 Service, that's where you get those huge, tall signs
8 so people can see them from the interstate.

9 MR. CORDONNIER: That's the one district
10 that pylon signs are still allowed in.

11 MS. LAND: That makes sense.

12 MR. CORDONNIER: Or it's not within 1,500
13 feet of Interstate I-75.

14 MS. LAND: Would you mind taking this
15 parking section and taking bits and chunks from
16 Findlay and see if you can make something that makes
17 more sense for them?

18 MR. CORDONNIER: You mean signage?

19 MS. LAND: Signage, yeah. Not parking.
20 Parking, we'll get back that to.

21 MR. CORDONNIER: Yeah.

22 MS. LAND: Although everybody wants us to go
23 through it one more time slowly.

24 FROM THE FLOOR: I don't. That was

1 terrible.

2 MR. CORDONNIER: I'd be happy to.

3 MS. LAND: That would be great.

4 SECRETARY STACY: Thank you.

5 MS. LAND: Thank you.

6 MR. EVANS: So go to Exterior Lighting?

7 MS. LAND: Yeah.

8 MR. EVANS: Section 1510, Exterior Lighting.

9 1. All outdoor lighting in all use
10 districts used to light the general area of a specific
11 site shall be shielded to reduce glare and shall be so
12 arranged as to reflect lights away from all adjacent
13 Residential Districts or adjacent residents.

14 2. All outdoor lighting in use districts
15 shall be directed towards and confined to the ground
16 areas of lawns or parking lots.

17 3. All lighting in nonresidential district
18 use for external illumination of buildings so as to
19 feature said buildings shall be placed and shielded so
20 as not to interfere with the vision of persons on
21 adjacent highways or adjacent property.

22 4. The illumination of signs shall be
23 directed or shaded downwards so as not to interfere
24 with the vision of person on the adjacent highways or

1 adjacent property.

2 5. All illumination of signs and any other
3 outdoor features shall not be of a flashing, moving,
4 or intermittent type. Artificial lights shall be
5 maintained stationary and constant in intensity and
6 color at all times when in use.

7 MS. LAND: Is that, then, when you're
8 prohibiting billboards that flip things through them
9 and have various advertisements?

10 MS. PARGEON: Yes.

11 MS. LAND: The ones that have words
12 scrolling over them, the flashing kiosk kind of
13 things. Keep in mind that's what you want to do, or
14 if you have an issue --

15 MS. PARGEON: It would be best to keep it
16 because, then, that way, it's not being a hinderance
17 to people that are driving.

18 MS. LAND: Most of the lighting things make
19 sense.

20 MS. PARGEON: Yeah.

21 MS. LAND: Do you guys remember the
22 Friendly's in Findlay on Tiffin Avenue? They used to
23 have a spotlight that illuminated the front. I came
24 past there every morning. When you got to a certain

1 point, it blinded me for two seconds until you went
2 past. It was really not good.

3 MS. PARGEON: This all sounds good for
4 lighting because it's directed down so it's not into
5 traffic.

6 SECRETARY STACY: Right.

7 MR. EVANS: Move on?

8 MS. LAND: Uh-huh.

9 CHAIRPERSON TIMMERMAN: Is there much change
10 in billboards? I mean, like, are they putting more
11 up? Are they -- how often are they tearing one down
12 to put up one of the more digital ones?

13 MS. LAND: There are a lot of the digital
14 ones around through Findlay now. There are lots of
15 them. They are very popular because they can sell
16 more advertising on them.

17 SECRETARY STACY: Right.

18 MS. LAND: So they're more lucrative for the
19 sign company, which that makes sense. It's less
20 expensive for you as the person advertising because
21 you're not buying the whole sign for the whole period;
22 you're just buying portion of time on it. So, I mean,
23 they have -- there's good reason for why people are
24 doing that.

1 The question is: Do you want that, or do
2 you want them to not do those here? There's a lot of
3 just plain old stationary ones, too.

4 CHAIRPERSON TIMMERMAN: Uh-huh. Does
5 anybody have any --

6 MS. PARGEON: It's easier for them to upkeep
7 the ones that, you know, they can change instead of
8 one that's put up there permanent that they have to
9 come out and put whole new signs on.

10 MS. LAND: Those are the ones that are
11 computerized.

12 MS. PARGEON: I feel sorry for those guys.
13 Yeah. The computer ones are better.

14 MR. CORDONNIER: So I don't -- I mean,
15 digital billboards, the industry standard is it
16 changes I think every eight seconds. I think that, if
17 you have issues with billboards, you probably should
18 address them because I don't know that those
19 paragraphs fully are solid.

20 MS. LAND: Right.

21 MR. CORDONNIER: You know, so -- because one
22 could argue, well, changing every eight seconds isn't
23 flashing. That's a pretty slow flash.

24 MS. LAND: Well, it says flashing, moving,

1 or intermittent type. I think the one thing that you
2 probably do definitely want to not have are the ones
3 that have the streamers running across the bottom of
4 them, the streaming words.

5 MS. PARGEON: Yes.

6 MS. LAND: People have a tendency to wait to
7 see what the next word is. That's dangerous. Like
8 the ones about, you know, "Be safe driving" that you
9 have to wait to see what the next word is. I don't
10 know who thought about that. That was kind of dumb.
11 Like the Click It or get a ticket thing.

12 CHAIRPERSON TIMMERMAN: Uh-huh.

13 SECRETARY STACY: Would we want the digital
14 billboards to be at a higher-density use area?
15 Because, I mean, are we saying that these lighting
16 requirements --

17 MS. LAND: You probably want to put
18 billboards in the signage stuff.

19 MR. CORDONNIER: That would be covered under
20 signage.

21 SECRETARY STACY: That's what you're looking
22 for.

23 MR. CORDONNIER: Yeah. Findlay wanted to
24 stop billboards, so what they had was the billboard

1 had to be 500 feet from another billboard. Digital
2 billboards had to be 1,000 feet from another digital
3 billboard. And, then, the City changed it that all
4 billboards -- new billboards have to be a 2,500 feet
5 radius from there.

6 So I think there's, like, 142 billboards in
7 Findlay right now. Something like that. And, so,
8 right now, with the update of the code, there's
9 essentially no space to for new billboards.

10 MS. LAND: In a township, though, that as an
11 interstate running through it, the potential for
12 billboards is definitely there.

13 SECRETARY STACY: Uh-huh.

14 MS. LAND: You have, like, two exits. Those
15 spaces in between coming up to the exit are the
16 perfect places. I know putting things on farm ground
17 is something that a lot of people don't want to do,
18 but you can farm pretty close around a billboard and
19 have it not impede your function. It's possible that
20 you could be getting -- they can happen. So they
21 probably should be added in there in some manner, at
22 least in an Agricultural District and Industrial
23 District.

24 MR. CORDONNIER: Yeah. I'm not 100 percent

1 sure. I know the distance -- within a certain
2 distance by I-75, I believe you have to get permission
3 from ODOT.

4 MS. LAND: Uh-huh.

5 MR. CORDONNIER: Even if it's not in the
6 right-of-way potentially. I'm not sure of that.

7 MS. LAND: You do. But they also have to
8 have the permission of the property owners --

9 MR. CORDONNIER: Yeah.

10 MS. LAND: -- to do it.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. LAND: Maybe you can give them something
13 to look at.

14 MR. CORDONNIER: I'm going to put something
15 down and you all can discuss.

16 MS. LAND: We'll throw it out there. You
17 guys talk about it and pick it apart.

18 MS. PARGEON: We appreciate it.

19 MR. EVANS: I liked what you were saying
20 about how so many feet away because when I think about
21 212 in front of, like, Lowe's Distribution Center, it
22 seems like we have plenty of billboards there, and I'd
23 hate to see another ten on there. It seems like
24 something has to be put in place to limit the number

1 of billboards because Allen Township has double the
2 billboards it had ten years ago.

3 SECRETARY STACY: Uh-huh.

4 MR. CORDONNIER: I'll just do a -- I'll
5 probably do, like, a 1,000-foot radius between
6 billboards and then you guys can discuss. That will
7 be a starting point.

8 MS. LAND: Are the billboards that are stuck
9 on the sides of buildings, are those covered by the
10 non-accessory sign stuff, or is that still a
11 billboard?

12 MR. CORDONNIER: That's why it's 27 pages
13 long. So Findlay does not -- Findlay does not
14 regulate wall signs, which I think has actually worked
15 out pretty -- you know, it's not worked out too
16 poorly. But, in theory, you know, Walmart could put a
17 wall sign, the full size. I think how expensive signs
18 are limits that. So we do not -- when you put a sign
19 on the building, you do not need a permit from the
20 City of Findlay.

21 MR. EVANS: Should we move on?

22 CHAIRPERSON TIMMERMAN: I think so.

23 MR. EVANS: We're in Section 1511,
24 Residential Entranceway.

1 In all Residential Districts, so-called
2 entranceway structures, including but not limited to,
3 walls, columns, and gates marking entrances to
4 single-family subdivisions or multiple-housing
5 projects may be permitted and may be located in the
6 required yard, except as provided in Section 1512,
7 Corner Clearance, provided that such entranceway
8 structures shall comply to all codes of the county and
9 shall be approved by the zoning inspector and a
10 certificate issued.

11 Section 1512. Corner Clearance.

12 No fence, wall, shrubbery, sign, or other
13 obstruction to vision above a height of 2 feet from
14 the established street grade shall be permitted within
15 a triangular area formed at the intersection of any
16 street right-of-way lines by a straight line drawn
17 between said right-of-way lines at a distance along
18 each line of 25 feet from their point of intersection.

19 Section 1513. Screening Requirements.

20 1. For those use districts and uses listed
21 below, there shall be provided and maintained in those
22 buildings abutting or adjacent to a Residential
23 District an obscuring wall as required below:

24 Use. A. Off-street parking area, 4- to

1 6-foot high screens.

2 CHAIRPERSON TIMMERMAN: That's
3 4 foot, 6 inches.

4 MR. EVANS: I'm sorry. You're right.
5 4-foot, 6-inch-high screen.

6 B. B-1, B-2, B-3 Districts, 4-foot,
7 6-inch-high screens.

8 C. I-1 and I-2, 4 foot, 6 inches, to
9 8-foot-high screen, depending upon the nature of the
10 functions being screened.

11 D. Auto wash or drive-in restaurants,
12 6-foot-high screen.

13 CHAIRPERSON TIMMERMAN: In Washington's,
14 with the I-1 and I-2, they also included hospital and
15 utility.

16 MR. CORDONNIER: Does it mention what type
17 of screen?

18 MR. EVANS: Is that in Definitions? It just
19 says required screening devices may take the form of
20 walls, berth and berms, greenbelts or fences, or
21 combinations thereof.

22 MR. CORDONNIER: Okay.

23 MR. EVANS: I guess that's the definition of
24 high screen.

1 MS. LAND: Are these numbers, the height is
2 the same as what we have in the actual district areas.
3 When we talked about screening, because we did discuss
4 that a couple of places, like, the height of fences,
5 like, around businesses in the B-3, B-1 District and
6 around parking lots. I think we need to go back and
7 make sure that they coincide and that they aren't
8 different.

9 MR. CORDONNIER: Or consolidate it.

10 MS. LAND: Define "screening." In each
11 section where it requires screening, we talked about
12 it. Why do we need this section? This almost --
13 seems repetitious.

14 CHAIRPERSON TIMMERMAN: So in the -- figure
15 out where I'm at. In Section 903, from what you
16 printed out, then, there's one. And, then, Section B,
17 we have -- at the very end, it says 4-foot
18 chain-link-type fence, but we have that crossed out.
19 So I'm curious if we crossed out any other fencing
20 stuff and let it go later. 902 would have been the
21 B-2 District.

22 MS. LAND: We got rid of B-2 completely.
23 No, we didn't. It was R-2.

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MS. LAND: I'm so tired.

2 In the parking stuff, there is an issue
3 about screening, but it doesn't say a height. It
4 says, "as determined by the Zoning Commission." But
5 it says "parking spaces."

6 MR. EVANS: There is also screening on
7 Page 26 up towards the top. That's in -- is that B-2?
8 We switched B-3 to B-2; is that right?

9 CHAIRPERSON TIMMERMAN: No. We considered
10 getting rid of B-3, going down to just B-1 and B-2,
11 but we ended up keeping all three of them.

12 MR. EVANS: So this is B-3 on Page 26,
13 right?

14 CHAIRPERSON TIMMERMAN: Yes.

15 MR. EVANS: So they talk a little bit about
16 it there. A 6-foot-high, completely obscuring screen
17 shall be provided when abutting or adjacent districts
18 are zoned for residential. The height of the screen
19 shall be measured from the surface to the ground.

20 MS. LAND: I'm questioning whether we need
21 this section at all, or if we address it in the
22 individual sections where we think there needs to be
23 required screening. What do you guys think?

24 CHAIRPERSON TIMMERMAN: I think there's

1 confusion having them both places.

2 MR. EVANS: Yeah.

3 CHAIRPERSON TIMMERMAN: I'm okay with having
4 it in the section that it's supposed to be in.

5 MR. EVANS: Eliminating 1513 all together?

6 MS. LAND: What do you think?

7 MR. CORDONNIER: I would say I'm most used
8 to having, like, landscaping and screening being it's
9 own little chapter, and, then, each district just
10 refers to that. You could do it either way. You can
11 just list the screening requirements in each section
12 or have a separate screening -- landscaping and
13 screening section that, then, refers to all of the
14 different districts.

15 MS. LAND: The landscaping section in Rural
16 zoning are pretty sparse. They don't -- other than,
17 you know, in screening that it can be shrubbery. We
18 don't really have the same kind of -- it is a more
19 city kind of thing to do. So I'm not sure we need a
20 landscaping section.

21 But the screening, we've already identified
22 screening in Definitions, and, then, if we discuss
23 screening in each section where it's necessary with
24 the maximum or minimum height, I think we should do

1 maximums too. I don't think you want anybody putting
2 up a fence more than 8 feet tall.

3 MS. PARGEON: Yeah.

4 MS. LAND: They can put up pine trees that
5 could be 40 feet. That happens and there's nothing we
6 can do about that. But you also don't want them
7 putting up a fence that's only 3-feet tall either. So
8 we have to have a minimum.

9 You can also potentially identify the type
10 of fencing that you're not going to permit. Like, if
11 you don't want people putting up chain-link or, you
12 know, not without it being camouflaged. But in some
13 areas, chain-link is what you need, in the Industrial.
14 So this next section where you're talking about
15 residential fences, that's where you're going to want
16 to be thinking about those kind of things a little
17 bit.

18 CHAIRPERSON TIMMERMAN: Are you going to
19 break that up and put that into each section then?

20 MS. LAND: No. I think fences ought to be
21 its own section because anybody can have a fence.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. LAND: And we can't -- we don't want to
24 put all of the stuff in. Let's read through it and

1 see if we can find a way to identify it clearly.
2 Otherwise, I think we're going to be repetitive
3 putting it in each section.

4 CHAIRPERSON TIMMERMAN: Yeah.

5 MS. LAND: We may need to do some exclusions
6 for certain sections through this. Like, in
7 Residential, no chain-link fences are allowed, you
8 know. We don't care if they put them in Business or
9 Industrial. You may not want to see a lot of
10 chain-link fences in backyards. Or you might not
11 care.

12 MS. PARGEON: It depends on what's on the
13 other side of the fence.

14 MS. LAND: But the biggest problem is they
15 don't look bad at all until people neglect them and,
16 then, they look really bad. They get rusty. They
17 sag. They are dangerous for kids and animals. So
18 it's one of the things to consider.

19 CHAIRPERSON TIMMERMAN: So you think
20 screening in each section is probably the best way to
21 go with that, rather than just leaving it?

22 MS. LAND: I do, kind of.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MR. EVANS: Start with Residential Fences.

1 Section 1514. Fences Residential. Fences
2 are permitted or required subject to the following:

3 1. Fences on all lots of record in all
4 Residential Districts which enclose property and/or
5 within a required side or rear yard shall not exceed
6 6 feet in height measured from the surface of the
7 ground, and shall not extend toward the front of the
8 lot nearer than the front of the house or the required
9 minimum front yard or whichever is greater. Except
10 where easements exist, such fences may be located on a
11 side or rear lot line.

12 MS. LAND: Okay. Let's talk about that.
13 Let me see if you're all happy with it. It's a thing
14 that has raised issues when people want to put a
15 picket fence all of the way around their lot; they
16 can't do that with this. It's saying that it can't be
17 more than 6 feet tall, which you wouldn't necessarily
18 do with pickets. But it also can't extend around the
19 whole front yard.

20 I think, arguably, if your house is set back
21 far enough, based on what this says, you could put it
22 across the front of your house, but it would cut
23 through the yard at the point where your setback is,
24 not encompass your front yard. I don't know if that's

1 something for you guys to talk about and consider.

2 CHAIRPERSON TIMMERMAN: This is Residential
3 Districts only, though? This is not --

4 MS. LAND: Right.

5 CHAIRPERSON TIMMERMAN: This is not
6 Agricultural.

7 MS. LAND: Right.

8 MR. CORDONNIER: Yeah. The fence in the
9 front yard is a sticky subject. We run into it all
10 the time.

11 MS. LAND: It comes up a lot.

12 MR. CORDONNIER: I think Findlay landed on
13 the front yard fencing can be -- it has to be
14 50 percent -- it's kind of weird wording, but, like,
15 50 percent open. They allow a picket fence below a
16 certain size or a metal, wrought-iron fence below a
17 certain size.

18 MS. LAND: They can't be a foot tall.

19 MR. CORDONNIER: No. I think it's like
20 36 or 40 inches, or something like that. But it's --
21 just from experience, fences in the front yard is
22 something a lot of people want, and often codes, they
23 but against each other. It's tough because, like I
24 said, fences can be really nice, or fences can be

1 really ugly. What we don't permit is a privacy fence,
2 you know, in your front yard.

3 CHAIRPERSON TIMMERMAN: Is that the
4 50 percent thing you were talking about there?

5 MR. CORDONNIER: Yeah. It has to be -- I
6 can look it up. I think it's --

7 MS. LAND: You mean open?

8 MR. CORDONNIER: Yeah, 50 percent open.

9 MS. LAND: So it's slats. You can see
10 through it.

11 MR. CORDONNIER: Slats.

12 MS. LAND: Okay.

13 CHAIRPERSON TIMMERMAN: To me, that seems
14 reasonable in Residential.

15 MR. CORDONNIER: Then it leads to that weird
16 fence. You know, you see the 6-foot privacy fence,
17 and --

18 CHAIRPERSON TIMMERMAN: It drops down.

19 MR. CORDONNIER: -- then it drops down and
20 morphs into -- at the same time, I don't think it's as
21 big of an issue in the township versus a confined
22 city-type area.

23 CHAIRPERSON TIMMERMAN: But we do have part
24 of Hillcrest over there, which would be where this is

1 going to apply probably the most.

2 MS. LAND: You want no chain-link in the
3 front?

4 CHAIRPERSON TIMMERMAN: I would say no
5 chain-link in the front.

6 MS. PARGEON: I would agree.

7 CHAIRPERSON TIMMERMAN: Is 6 feet a standard
8 height?

9 MS. LAND: Is that a standard fence height?

10 MR. CORDONNIER: Yeah, 6 feet. In
11 commercial, we allow up to 8 feet.

12 MS. LAND: But if somebody wants to put up a
13 privacy fence, and they're buying the sections at
14 Lowe's or somewhere, generally they are 6 feet.

15 MR. CORDONNIER: 6 feet. Yeah.

16 MS. LAND: You don't want to put in a rule
17 that makes it so they can't --

18 CHAIRPERSON TIMMERMAN: Buy materials.

19 MS. LAND: -- buy materials without going
20 custom. That's not right.

21 CHAIRPERSON TIMMERMAN: I didn't know
22 whether going up to 8 feet was --

23 MR. CORDONNIER: Liberty Township changed
24 theirs to 8 feet because they had four or five

1 variances in a year of people wanting to put in
2 8-foot privacy fences rather than 6-foot.

3 MS. LAND: Almost all of them had to do with
4 people with above-ground pools.

5 MR. CORDONNIER: You know, the subdivisions,
6 their protection is a lot of them have covenants and
7 restrictions.

8 MS. LAND: But the covenants and
9 restrictions are a private thing and they have nothing
10 to do with the township zoning. So the covenant and
11 restrictions may say they can have up to a 12-foot
12 fence, but if you say they can only have 6, that's
13 all they get.

14 But if their covenants say they can't have
15 more than 4, and you say they can go up to 6. -- if
16 they ask for a 6, you can give them a permit for 6,
17 but they have to fight with the other property owners.

18 It's a private thing and not associated with you
19 guys.

20 MR. CORDONNIER: Yeah.

21 MS. LAND: It depends on how active the
22 homeowners association is to be able to enforce it.

23 MR. CORDONNIER: That's a warning we have to
24 put out. Like, we're issuing you this 6-foot privacy

1 fence, but that doesn't mean your HOA or covenants and
2 restrictions may even allow fences.

3 MS. LAND: You would be surprised how many
4 people go, Do we have those? You really need to check
5 them because your neighbors can sue you.

6 MS. PARGEON: For putting a fence up?

7 MS. LAND: What?

8 MS. PARGEON: They can sue you for putting a
9 fence up?

10 MS. LAND: If they said you can't have a
11 fence.

12 MS. PARGEON: Yeah. So they can sue you.

13 MS. LAND: Some subdivisions say, like, what
14 color screen door you can have, or a storm door, if
15 you can have one at all. Or if you can have a colored
16 front door, it has to be a brown front door. You're
17 supposed to look at those before you buy the house.
18 You're agreeing to them. Yep, I've going to abide by
19 these things.

20 CHAIRPERSON TIMMERMAN: I guess I wouldn't
21 care if it went up to 8 feet, but I've never really
22 been one for a fence either. I guess my point is I
23 think a lot of people get hung up on it, so if you
24 make it less restrictive.

1 SECRETARY STACY: Right.

2 CHAIRPERSON TIMMERMAN: That's kind of my
3 grounds for the 8 feet. I don't really --

4 MR. EVANS: Since it's mostly in the back
5 and side yard, honestly, I don't care.

6 SECRETARY STACY: Right.

7 MR. EVANS: If they're willing to pay for
8 it, 8 feet is -- I don't think that's detrimental.

9 SECRETARY STACY: Yeah. If they want the
10 8, then they can go up to 8.

11 MR. EVANS: Right.

12 CHAIRPERSON TIMMERMAN: They have the
13 option.

14 MS. LAND: In the back and side or only in
15 the back?

16 MS. PARGEON: It depends on what they are
17 trying to keep in or keep out.

18 CHAIRPERSON TIMMERMAN: I think back and
19 sides.

20 MR. CORDONNIER: Yeah. I think --

21 CHAIRPERSON TIMMERMAN: They kind of go
22 together I think.

23 MR. CORDONNIER: Yeah. I think not
24 extending past the face of the house.

1 SECRETARY STACY: Right.

2 MR. EVANS: You're not going to 8 foot.
3 When you have to turn the corner, you have to go 6.

4 CHAIRPERSON TIMMERMAN: I think not
5 extending past the face of the house, at which point,
6 dropping down to -- in the front yard -- I don't know.
7 Do you know what number you guys have on that?

8 MR. CORDONNIER: Let me -- I have to leave
9 at 6:25. I've got baseball carpool.

10 MR. EVANS: It's, like, you have to be
11 careful because somebody pulls in somebody else's
12 driveway, and then they want to back out and they
13 can't because there's a fence right there.

14 MS. PARGEON: How are you going to move
15 around?

16 SECRETARY STACY: If it's not in the front
17 yard, then, hopefully, you could back up out.

18 MR. CORDONNIER: Vision clearance is another
19 issue. I can think of one on Hurd Avenue where it's
20 in the front yard, the picket fence, and, then, it has
21 to go along an angle along, that vision clearance
22 triangle.

23 MS. LAND: The fence at the end of 237, when
24 you're pulling out there by Shady Grove, you have to

1 get your nose clear out on 224 to be able to see past
2 it to the east because it's built right out there to
3 the edge of their right-of-way. It's a lovely fence.
4 But...

5 MR. CORDONNIER: It needs some maintenance
6 these days. I noticed it just last week.

7 MS. LAND: A big chunk of it got taken out
8 when they were putting up the stoplight. Maybe they
9 will require somebody to have it updated.

10 MR. CORDONNIER: Yeah.

11 MS. LAND: I don't think I could ever be mad
12 enough at my kids to have them out there painting that
13 fence. It's a wood painted fence and it goes around a
14 massive, massive yard.

15 CHAIRPERSON TIMMERMAN: Any luck, Matt?

16 MR. CORDONNIER: It will take me a minute.
17 I'll look. I don't have it.

18 CHAIRPERSON TIMMERMAN: Do you want me read
19 No. 2 while he's looking that up?

20 MS. LAND: One of the things, in this whole
21 section here, do you want me to rework it a little bit
22 to add the 8 feet in height?

23 CHAIRPERSON TIMMERMAN: Yeah.

24 MS. LAND: Make it stop at the edge of the

1 house for the 8 foot.

2 CHAIRPERSON TIMMERMAN: Uh-huh.

3 MS. LAND: And, then, drop down to 3 feet --

4 CHAIRPERSON TIMMERMAN: That's the number
5 he's --

6 MS. LAND: -- or the number he's getting, or
7 something that has 50 percent visibility through it?

8 CHAIRPERSON TIMMERMAN: Yeah. Not being
9 chain-link.

10 MS. LAND: Yeah. Okay. Got it.

11 MR. EVANS: Start reading?

12 CHAIRPERSON TIMMERMAN: The crowd is
13 insisting on higher.

14 FROM THE FLOOR: My parents got pissed off
15 when they couldn't put up their fence because it was
16 too high.

17 MS. LAND: How high do you want them in the
18 front?

19 FROM THE FLOOR: Maybe not more than
20 36 inches.

21 FROM THE FLOOR: 50 percent of the height of
22 the rest of the fence, 50 percent visibility or
23 whatever.

24 MS. LAND: 50/50.

1 FROM THE FLOOR: That's more like it.

2 CHAIRPERSON TIMMERMAN: Was that a
3 Residential District?

4 FROM THE FLOOR: Uh-huh.

5 MR. CORDONNIER: So fences in the front yard
6 shall not exceed 48 inches in height and shall be
7 50 percent open.

8 CHAIRPERSON TIMMERMAN: There you go.

9 SECRETARY STACY: There we go.

10 MS. LAND: 48 inches tall.

11 CHAIRPERSON TIMMERMAN: Sure.

12 MS. LAND: That's 4 feet, right? That's
13 good. Most people can't step over 4 feet either.
14 He can, but nobody else can.

15 (Laughter.)

16 MS. PARGEON: Do a little hop.

17 MR. CORDONNIER: And, then, we just -- a
18 provision for corner lots because corner lots get
19 interesting.

20 MS. LAND: Yeah, that's true.

21 MR. CORDONNIER: So fences located in the
22 street side yard, which is the second front yard of a
23 side -- also 48 inches and 50 percent open. So it
24 treats -- corner lots have two front yards.

1 MS. LAND: I think we put that in our
2 definition of lots, too.

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MS. LAND: The coroner not is considered to
5 be two front yards for setbacks and such.

6 CHAIRPERSON TIMMERMAN: Do they have two
7 front faces as far as where it would go to from 8 feet
8 down to 4 feet?

9 MS. LAND: They would have tall and short.
10 You know, it could be --

11 MR. EVANS: 4, 4, and 8.

12 MS. LAND: Yeah. 4, 4, 8, 8.

13 CHAIRPERSON TIMMERMAN: All four sides would
14 have 4 feet back to the front face of the house.

15 MS. LAND: The side and the back can be
16 tall.

17 MR. EVANS: Two backs.

18 MS. LAND: So you have two backs and two
19 sides. You have two fronts, I guess you have two
20 backs, and they can be tall.

21 CHAIRPERSON TIMMERMAN: But not exceeding --
22 not past the front face of the house?

23 MS. LAND: Right.

24 CHAIRPERSON TIMMERMAN: All four sides will

1 have some.

2 MS. LAND: It's not considered the front
3 face of the house with the side-facing yard. It's
4 just the yard is treated like a front yard, not the
5 front face of house.

6 CHAIRPERSON TIMMERMAN: That's a good
7 marker. Everybody watch closely.

8 (Laughter.)

9 MR. CORDONNIER: That marker is just -- I'll
10 use the map as your property.

11 MS. LAND: We need to get Mark to buy some
12 good markers. He probably has them in his office.

13 MR. CORDONNIER: If this was the road, a
14 road's here, and this is the house (indicating).

15 CHAIRPERSON TIMMERMAN: This is the front?

16 MR. CORDONNIER: Yeah. Front, front. So
17 the difficulty is this is your traditional front of
18 the house.

19 SECRETARY STACY: Right.

20 MR. CORDONNIER: What do you do with this
21 side fence?

22 CHAIRPERSON TIMMERMAN: Right.

23 MR. CORDONNIER: Specifically --

24 CHAIRPERSON TIMMERMAN: We know it can be --

1 MR. CORDONNIER: Do you do 48, and, then, it
2 can't turn to 6 until you're back here (indicating).

3 CHAIRPERSON TIMMERMAN: Right. To there
4 (indicating). That's the way I would interpret it.

5 MR. CORDONNIER: 6 here. You could go
6 there. But so this area has to be 48.

7 CHAIRPERSON TIMMERMAN: Right.

8 SECRETARY STACY: Yeah.

9 MS. LAND: The front isn't -- our shorter
10 fence here is not just across the front; it's also the
11 side yards after the front face of the house.

12 CHAIRPERSON TIMMERMAN: That's what I was
13 getting at.

14 MS. LAND: Yeah. Corner lots have all kinds
15 of special problems. Yeah. I might just put, "at the
16 discretion of the Zoning Commission."

17 (Laughter.)

18 MR. EVANS: John's home number.

19 Did we get that worked out?

20 CHAIRPERSON TIMMERMAN: I think so.

21 MS. LAND: Close enough.

22 MR. EVANS: B-2. Recorded lots having a lot
23 area in excess of 2 acres and a frontage of at least
24 200 feet and acreage or parcels not included within

1 the boundaries of a recorded plat in all Residential
2 Districts are excluded from these regulations.

3 MS. LAND: Wait a minute.

4 MR. EVANS: Frontage of at least 200 feet.

5 MS. LAND: So they say those only -- the
6 thing that we've been sorting out here and spending
7 time on only applies in platted subdivisions?

8 MR. EVANS: Or some less than 2 acres.

9 MR. CORDONNIER: Yeah, there's a few.

10 MS. LAND: Houses that are less than
11 2 acres.

12 MR. CORDONNIER: The Subdivision
13 Regulations, zoning or no zoning, say that a
14 residential lot has to be 2 acres right now in Allen
15 Township.

16 CHAIRPERSON TIMMERMAN: Say this again.

17 MR. CORDONNIER: The County Subdivision
18 Regulations in all townships, whether you're zoned or
19 not zoned, a residential lot has to have at least
20 2 acres.

21 CHAIRPERSON TIMMERMAN: For the septic. But
22 if it's in -- like, in Hillcrest, it obviously isn't
23 required.

24 MR. CORDONNIER: Correct.

1 MS. LAND: Those are subdivided lots in a
2 subdivision.

3 CHAIRPERSON TIMMERMAN: Okay.

4 MS. LAND: But, like your house, you aren't
5 in a subdivision. You have a building lot. It's
6 2 acres.

7 CHAIRPERSON TIMMERMAN: 2 and a half. Yeah.

8 MS. LAND: Yeah.

9 MR. CORDONNIER: So this is saying that you
10 would not be subject to that.

11 MS. LAND: There are a number, though, I
12 think, along -- some of these lots along 220, for
13 example, I think they are less than 2 acres. They
14 aren't in a subdivision; they're just lots. They
15 wouldn't be subject to it either then. No, they would
16 be subject to it.

17 CHAIRPERSON TIMMERMAN: It would be.

18 MS. LAND: They divide the area. Are you
19 guys good with this? Basically, small lot, this
20 covers.

21 MS. PARGEON: Yeah.

22 MS. LAND: If it's 2 or over, this says, "In
23 excess of 2 acres."

24 CHAIRPERSON TIMMERMAN: Right. It should

1 say 2 acres or more.

2 MS. LAND: Yeah. Okay.

3 MR. EVANS: All set?

4 CHAIRPERSON TIMMERMAN: Should that -- going
5 back to Cindy's point. If there's a lot that's not in
6 a subdivision that's less than 2 acres, a
7 grandfathered-in lot, is that a thing, I assume?

8 MS. LAND: I imagine there are some.

9 MR. CORDONNIER: Yeah.

10 CHAIRPERSON TIMMERMAN: So are they
11 restricted down to -- are they restricted to what we
12 have in Section 1 or are they considered --

13 MS. LAND: Yeah, they would be. There's
14 some good reason for it. The whole purpose of that is
15 that the houses are considered to be closer together,
16 and you're more likely to be able to infringe on your
17 neighbor if you put up something that's too high in
18 the front and side yards and such.

19 So if have you a smaller lot, whether it's
20 subdivided or not, it serves the same purpose; to make
21 sure that what they are doing doesn't infringe on the
22 neighbors' line of sight.

23 MR. CORDONNIER: Quality of life.

24 MS. LAND: Yeah. Quality of life. Safety.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: So if you guys want it to still
3 apply to those, it makes sense. Because even though
4 they aren't in a platted subdivision, they are in very
5 generally the same kind of area. They are similarly
6 situated.

7 MR. CORDONNIER: It's less than 2 acres or
8 more than 2 acres. In general, it's going to be
9 subdivided lots, but there will be some that aren't.

10 MS. LAND: Especially at the beginning.

11 CHAIRPERSON TIMMERMAN: I guess the only
12 thing I'm bringing up is the 2 acres. Why is that the
13 threshold? Why not 1 acre?

14 MS. LAND: The 2 acres are the standard for
15 the Building and Agricultural District, so the
16 potential is they are sitting out in the middle of
17 nowhere.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. LAND: They don't have neighbors that
20 are going to be infringed upon if they do something
21 like that.

22 CHAIRPERSON TIMMERMAN: But A
23 grandfathered-in parcel --

24 MS. LAND: A less than 2.

1 CHAIRPERSON TIMMERMAN: -- less than 2 could
2 be out in the middle of a field as well.

3 MS. LAND: Yeah. But it doesn't matter.
4 They're still stuck right there with this. Because we
5 can't -- you can't really -- you know, if that's the
6 case and somebody wants to come in and ask for a
7 variance for something, you think about those kinds of
8 things: The anomalies. The odd ones that don't fit
9 the rule.

10 SECRETARY STACY: Right.

11 MS. LAND: That's what that's for. There
12 won't be that many of them, and over time they will
13 eventually disappear because they will be used up or
14 absorbed somewhere else. Although there could be,
15 50 years from now, somebody comes along and says, I've
16 got this lot. I've always had it.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MR. EVANS: 3. Fencing on lots and recorded
19 subdivisions shall not contain barbed wire, electric
20 current, or charge of electricity.

21 MS. LAND: No electric fences in
22 subdivisions.

23 MS. PARGEON: Oh, darn. Can't keep the kids
24 out.

1 MS. LAND: It's a rule.

2 MR. EVANS: Is that to keep them in or out?

3 MS. LAND: Yikes.

4 MS. PARGEON: Either or.

5 MR. EVANS: So take out 3?

6 MS. LAND: No.

7 MS. PARGEON: No, leave it in there.

8 SECRETARY STACY: No, we don't want barbed
9 wire.

10 MS. LAND: Sometimes you have to state the
11 obvious. This is one of those.

12 MS. PARGEON: You get the extra charge out
13 of life.

14 MS. LAND: Lawsuits waiting to happen.

15 MR. EVANS: 4. Fences which enclose public
16 or institutional parks, playgrounds, or public
17 landscaped areas situated within an area developed
18 with recorded lots shall not exceed 8 feet in height
19 measured from the surface of the ground, and shall not
20 obstruct vision to an extent greater than 25 percent
21 of their total view.

22 MS. LAND: Is that chain-link or is that
23 some sort of --

24 MS. PARGEON: Which includes public or

1 institutional park.

2 MS. LAND: Is that rain?

3 SECRETARY STACY: Yes.

4 MS. PARGEON: Public or institutional.

5 MR. EVANS: Shall not obstruct vision to an
6 extent greater than 25 percent.

7 MS. PARGEON: Because they have to keep an
8 eye on the people that are in there. Institutional.

9 MR. CORDONNIER: I've not seen a regulation
10 like that before.

11 MS. PARGEON: Like a handicapped area, a
12 playground. Like the Miracle Park they've got out by
13 the H.R.C.

14 MR. CORDONNIER: Yeah.

15 MS. PARGEON: But they don't have fences all
16 over.

17 MR. CORDONNIER: Public parks are
18 generally --

19 MS. LAND: Parks aren't in fences anymore.
20 Do we have any fenced parks?

21 MR. CORDONNIER: Yeah.

22 MS. PARGEON: Out there at the Miracle Park
23 out there --

24 CHAIRPERSON TIMMERMAN: Miracle Park has a

1 fence around it?

2 MS. PARGEON: Yes. It has a fence around
3 it.

4 MS. LAND: The section that is --

5 MS. PARGEON: It's the playground area.

6 CHAIRPERSON TIMMERMAN: Play area separated
7 from the parking lot.

8 MS. LAND: Is that in the city?

9 MR. CORDONNIER: Yeah.

10 MS. LAND: Okay.

11 MS. PARGEON: It's a nice place.

12 MS. LAND: Yeah, it's lovely.

13 SECRETARY STACY: Is that supposed to be,
14 like, a safety issue for children? I mean, you've got
15 your public coming and going.

16 MS. LAND: What are institutional parks? I
17 don't know. Playgrounds for schools?

18 MS. PARGEON: Institutional parks are if the
19 children are -- have a mental disability or they have
20 problems walking or are handicapped in some form.

21 MR. CORDONNIER: I mean, we're assuming
22 that, but it doesn't say that.

23 MS. PARGEON: Yeah.

24 MS. LAND: It's not defined.

1 MR. CORDONNIER: I would say strike. I
2 personally don't see a purpose for that regulation.

3 MS. LAND: The whole regulation, I would
4 scrap it.

5 SECRETARY STACY: Talking about No. 4?

6 MS. LAND: Yeah.

7 MR. CORDONNIER: Yeah.

8 MS. PARGEON: Yeah.

9 MS. LAND: The 25 percent has me a little
10 baffled too. I'm not sure what this is.

11 MS. PARGEON: Shall not obstruct vision to
12 an extent greater than 25 percent.

13 MS. LAND: Taking the whole thing out solves
14 a lot of our problems here.

15 MR. EVANS: Right.

16 CHAIRPERSON TIMMERMAN: Some notes I made.
17 Distance from the property line. Does that
18 go back to, like, setbacks, or is that -- how close
19 can you put your fence to the property line?

20 MR. EVANS: Is that back in here?

21 CHAIRPERSON TIMMERMAN: Does that fall into
22 setbacks, is my question?

23 MS. LAND: We probably ought to address that
24 issue if we're going to allow fences in the setback

1 line -- in a setback area.

2 MR. CORDONNIER: Yeah. All the places I've
3 worked allow fences --

4 MS. LAND: In the setback.

5 MR. CORDONNIER: -- right up to the -- right
6 on the --

7 CHAIRPERSON TIMMERMAN: Right up to the
8 property line.

9 MS. LAND: Yeah.

10 MR. CORDONNIER: Fences generally are not
11 subject to --

12 MS. LAND: Setbacks.

13 MR. CORDONNIER: -- the building setback.

14 MR. EVANS: Where are the fence setbacks?

15 CHAIRPERSON TIMMERMAN: There are none.

16 MS. LAND: Do you want to put it, like, a
17 new 4?

18 CHAIRPERSON TIMMERMAN: Maybe.

19 The other note I made was, Nice side out.
20 So if you put a picket fence up, or whatever, do you
21 have to put the nice side out to your neighbors, or
22 are you allowed to put it in towards your property?

23 MR. CORDONNIER: We actually added that a
24 couple years ago.

1 CHAIRPERSON TIMMERMAN: I assume you put the
2 nice side out?

3 MS. LAND: I'm not sure that you have the
4 ability or the rural zoning to -- you can't zone
5 aesthetics.

6 CHAIRPERSON TIMMERMAN: Okay.

7 MS. LAND: I don't know if that's considered
8 aesthetics or not. But a lot of people, when they put
9 up their privacy fences, they want the pretty side
10 into their yard.

11 CHAIRPERSON TIMMERMAN: For sure.

12 MS. LAND: Then the neighbors have an ugly
13 view.

14 CHAIRPERSON TIMMERMAN: For sure.

15 MR. CORDONNIER: We have the nonstructural
16 face outward. Fences shall present the nonstructural
17 face outward.

18 MS. LAND: What's a nonstructural face?

19 MR. CORDONNIER: The --

20 MR. EVANS: Posts and stuff would be on the
21 inside.

22 MR. CORDONNIER: Posts on the inside.

23 CHAIRPERSON TIMMERMAN: Matt, what are you
24 doing? You've got one minute left. Rushing to get

1 away from us.

2 MR. CORDONNIER: I'm envisioning three boys
3 sitting in the --

4 MS. PARGEON: In the rain.

5 MR. CORDONNIER: -- coach's car, like, Where
6 are you?

7 MS. LAND: They're going to smell really
8 good getting wet with a little rain getting in the
9 car.

10 MR. CORDONNIER: And they're down at Emory
11 Adams.

12 MS. PARGEON: Let's go.

13 CHAIRPERSON TIMMERMAN: See you. Thank you.

14 MS. LAND: Thank you.

15 (Mr. Cordonnier left the proceedings.)

16 MS. LAND: Okay. Fences may be constructed
17 in the required setback area?

18 CHAIRPERSON TIMMERMAN: Yes.

19 MS. LAND: That works.

20 SECRETARY STACY: When he says "up to
21 property lines," can it be on the property line? How
22 far off -- I mean, as long as it's --

23 MS. PARGEON: It's just up to the line, not
24 on the line.

1 MS. LAND: Do you want to put "no closer
2 than"?

3 MS. PARGEON: 2 inches.

4 MS. LAND: 2 inches.

5 MR. EVANS: Because if your neighbor wants
6 to put one up --

7 MS. LAND: Yeah. Well, then, there has to
8 be room to be able to mow between them.

9 MR. EVANS: Or at least --

10 MS. LAND: Put 1 foot from the property
11 line?

12 Here's the problem that we run into that
13 I've had people complain about in the past. There are
14 a couple townships that say on the line. Well, they
15 dig their postholes on the line and half that post is
16 on the other side of the line and people get really
17 ouchy about that.

18 So there should be a little bit of a
19 setback. And you also -- that whole being able to get
20 between them to be able to mow is a huge thing, or
21 else you end up with a weed problem.

22 CHAIRPERSON TIMMERMAN: Yeah.

23 MS. LAND: Put up to -- if you do 12 inches,
24 that's 2 feet between the fences, and anybody could

1 get a mower through there, can't you?

2 MR. EVANS: A Weed Wacker.

3 MS. PARGEON: Weed Wacker would be the only
4 thing they could get in there.

5 CHAIRPERSON TIMMERMAN: I mean, a push mower
6 is probably pretty close.

7 FROM THE FLOOR: You need to maintain it.
8 You need several feet to stand on, especially if you
9 don't want to run down the fence.

10 MS. LAND: To be able to paint it and clean
11 it.

12 CHAIRPERSON TIMMERMAN: If you do a foot and
13 a half.

14 MS. LAND: 18 inches.

15 CHAIRPERSON TIMMERMAN: I was going to say a
16 foot and a half.

17 MR. EVANS: Or 3 feet.

18 CHAIRPERSON TIMMERMAN: That way you get
19 3 feet.

20 FROM THE FLOOR: What's a standard push
21 lawnmower?

22 CHAIRPERSON TIMMERMAN: I would assume 20 to
23 24.

24 FROM THE FLOOR: Something like that for a

1 standard.

2 CHAIRPERSON TIMMERMAN: If you do 2 feet and
3 then --

4 MS. LAND: 24 inches.

5 CHAIRPERSON TIMMERMAN: Would you do 24?
6 That way, if each person has a push mower with --

7 FROM THE FLOOR: They'd have an option.

8 That way, if they don't stick to it or adhere to it,
9 you've got some basis for maintaining the fence.

10 I mean, a picket fence, you've got to
11 varnish, paint, or stain, or do something
12 periodically. If you don't have enough room to set
13 the paint bucket down, you've got a problem.

14 CHAIRPERSON TIMMERMAN: I think 2 feet
15 makes sense for that. Yeah.

16 MR. EVANS: Two.

17 MS. LAND: Can we say they can be
18 constructed in the required setback area but not
19 closer than 24 inches from the lot line?

20 CHAIRPERSON TIMMERMAN: Sure.

21 MR. EVANS: So they're 4 feet apart?

22 MS. LAND: Yeah. Close enough room for kids
23 to go in and cause problems.

24 MS. PARGEON: Sure.

1 MR. EVANS: Moving on to --

2 CHAIRPERSON TIMMERMAN: Are you going to add
3 anything about the pretty side out or whatnot, or are
4 you sticking with you don't think we can?

5 FROM THE FLOOR: Don't make me put my
6 fence --

7 SECRETARY STACY: Yours is probably wrong,
8 right?

9 FROM THE FLOOR: My backyard has a good side
10 and bad side. It depends what neighbor you're
11 touching. It's terrible.

12 FROM THE FLOOR: How about easements? How
13 would that affect a fence on an easement?

14 MS. LAND: You're not supposed to put a
15 fence on an easement.

16 FROM THE FLOOR: It takes care of itself
17 then.

18 MS. LAND: More or less. Yeah. It depends
19 on what the easement is about. That's something that
20 we don't -- zoning would not address.

21 FROM THE FLOOR: I see.

22 MS. LAND: They address the lot lines and
23 what kind of restrictions are. Anywhere on your lot
24 near a lot line is something that zoning wouldn't

1 touch. It would be your responsibility.

2 FROM THE FLOOR: That's good information.

3 MS. LAND: Okay. Do we want to say, Where
4 possible, the structural -- what did he say?

5 MR. EVANS: Structural side. Is that what
6 he called it?

7 SECRETARY STACY: Well, yeah. The posts,
8 right?

9 MR. EVANS: Right.

10 MS. LAND: Structural side should be where?

11 MR. EVANS: He said on your property.

12 CHAIRPERSON TIMMERMAN: I think so.

13 SECRETARY STACY: On the inside. I wrote
14 down on the inside.

15 MR. EVANS: Yeah.

16 MS. LAND: Okay. Fences may be constructed
17 in required setback areas but not closer than
18 24 inches from the lot line. Where possible, the
19 structural side should face the interior of the lot.

20 CHAIRPERSON TIMMERMAN: I think so.

21 SECRETARY STACY: The owner's lot? Did he
22 say which lot we're talking about?

23 MS. LAND: I think it's a given that it's
24 the owner's lot, especially when you're saying

1 interior.

2 SECRETARY STACY: Okay. All right. That
3 works.

4 MS. LAND: All right.

5 MR. EVANS: Moving on?

6 MS. LAND: Yeah.

7 MR. EVANS: Section 1515. Site Plan Review.

8 1. A site plan shall be submitted to the
9 Zoning Commission for approval of any development,
10 other than agricultural uses, single-family dwellings,
11 or two-family dwellings.

12 2. Every site plan --

13 MS. LAND: Wait a minute. Do we have
14 two-family dwellings anymore?

15 CHAIRPERSON TIMMERMAN: We've got
16 multi-family.

17 MS. LAND: Those do go through site plan
18 review.

19 CHAIRPERSON TIMMERMAN: So we don't have
20 two-family.

21 MS. LAND: Take out the two-family
22 dwellings.

23 MR. EVANS: Like a duplex?

24 MS. PARGEON: Yeah.

1 MR. EVANS: 2. Every site plan submitted to
2 the Zoning Commission shall be in accordance with the
3 requirements of this Resolution and shall be in such
4 form as the Zoning Commission shall prescribe in its
5 rules.

6 Site plans shall be submitted to the Zoning
7 Commission at least 14 days in advance of the next
8 regularly scheduled commission meeting, unless the
9 applicant agrees to an extension of time in writing.
10 The Zoning Commission shall take one of the following
11 courses of action at such meeting:

12 A. Approval, in which case the zoning
13 inspector may issue a zoning certificate.

14 B. Conditional approval setting forth in
15 writing the conditions upon which approval is granted.
16 In the case of a Conditional Use approval, the
17 applicant shall submit to the zoning inspector a
18 revised site plan showing any and all requirements of
19 the commission. If the zoning inspector determines
20 that all conditions have been satisfied on the amended
21 site plan, the zoning certificate may be issued.

22 C. Disapproval. In which case no zoning
23 certificate may be issued and a new site plan must be
24 prepared for consideration by the commission.

1 3. The following information shall be
2 included on a site plan:

3 A. A scale of not less than 1 inch equals
4 50 feet if the subject property is less than 37 acres,
5 and 1 inch equals 100 feet if 3 acres or more.

6 MS. LAND: Does anybody know if that's a
7 pretty standard measurement for when they are drawing
8 up things? I don't want them -- a requirement that
9 requires they come in with a paper the size of the
10 table.

11 SECRETARY STACY: Right.

12 CHAIRPERSON TIMMERMAN: That's the exact
13 same words that Washington Township uses.

14 MS. LAND: Okay.

15 MR. EVANS: B. Date, north point, scale.

16 MS. LAND: What is that?

17 CHAIRPERSON TIMMERMAN: I think it should be
18 date, north point, and scale. You need the scale of
19 the drawing and which way is north and you need the
20 date on there.

21 MS. LAND: Right. Okay.

22 MR. EVANS: C. The dimensions of all lot
23 and property lines showing the relationship of the
24 subject property to abutting properties.

1 D. The location of all existing and
2 proposed structures on the subject property and all
3 existing structures within 100 feet of the subject
4 property.

5 E. The location of all existing or proposed
6 drives and parking areas, including the proposed
7 parking layout.

8 F. The location and right-of-way width of
9 abutting streets and alleys.

10 G. The names and addresses of the
11 architect, planner, designer, engineer, or person
12 responsible for the preparation of the site plan.

13 H. The existing and proposed drainage and
14 watershed conditions.

15 CHAIRPERSON TIMMERMAN: Part of that -- does
16 that go back to what you were saying earlier where
17 there's not a review where there's not watershed in
18 the townships or something? Wasn't something said?

19 MS. LAND: He said that he have no drainage
20 rules, but there are the County's drainage rules that
21 are based on the State's drainage rules.

22 The county and townships are creatures of
23 statute. If we don't create our own entity, like
24 zoning or something, we have to follow State code.

1 Cities can create their own rules and have their own
2 codes and there are ordinances, so that's why the
3 County doesn't have their own drainage rules; they
4 have to follow the State's. So they're creatures of
5 statute. That's a speech I have to give to every
6 newly elected official when they get elected. You can
7 only do what it says you can do, period.

8 MR. EVANS: Move on?

9 MS. LAND: Uh-huh.

10 MR. EVANS: 4. In the process of reviewing
11 the site plan, the Zoning Commission shall consider:

12 A. The location and design of driveways
13 providing vehicular ingress to and egress from the
14 site in relation to streets giving access to the site
15 and in relation to pedestrian traffic.

16 B. The traffic circulation features within
17 the site and location of automobile parking areas and
18 may make such requirements with respect to any matters
19 as will assure:

20 1. Safety and convenience of both vehicular
21 and pedestrian traffic both within the site and in
22 relation to access streets.

23 2. Satisfactory and harmonious
24 relationships between the development on the site and

1 the existing and prospective development of contiguous
2 land and adjacent neighborhoods.

3 C. A proposed method of surface drainage
4 control, including the methods for stormwater
5 detention and erosion prevention.

6 D. Zoning Commission may further require
7 landscaping, fences, and walls in pursuance of these
8 objectives and same shall be provided and maintained
9 as a condition of the establishment and the continued
10 maintenance of any use to which they are appurtenant
11 thereto.

12 E. In those instances where the Zoning
13 Commission finds that an excessive number of ingress
14 and/or egress points may occur with relation to major
15 or secondary thoroughfares, thereby diminishing the
16 carrying capacity of the thoroughfare, the Zoning
17 Commission may require marginal access drives.

18 SECRETARY STACY: This is where the county
19 engineer --

20 MS. LAND: There are Access Management
21 Regulations that would weigh in on that.

22 MR. EVANS: Section 1516.

23 CHAIRPERSON TIMMERMAN: I have --

24 MS. LAND: Do we need E if we have Access

1 Management Rules at the county level?

2 MS. PARGEON: I don't think you would.

3 CHAIRPERSON TIMMERMAN: I was thinking that
4 myself.

5 SECRETARY STACY: I would think they would
6 supersede the County.

7 MS. LAND: The County would supersede. But
8 the County's Access Management Rules are pretty strict
9 actually. They do have a variance option, so somebody
10 can come into the county and say, We want to have an
11 exception to the rule because of this, this, and this.
12 It goes to a hearing before the Commissioners and they
13 decide if they want to grant it or not.

14 They may grant something and be more liberal
15 than what you are willing to do, in which case, they
16 still have to follow your layout here, and you
17 could -- not that you don't supersede them, but you're
18 required that they follow your rules, too.

19 If your rules say you can't have seven cuts
20 across this gas station, you wouldn't want to put in
21 something -- you could still tell them, no, even if
22 they don't get approval to cut onto the road. So you
23 may want to keep this on here just so that you have a
24 safety valve in case the County Commissioners go crazy

1 sometime and allow an octopus.

2 CHAIRPERSON TIMMERMAN: On this exact
3 same -- I just want to make sure it's the same.
4 Yeah. At the very end, Washington Township added,
5 "For a narrow frontage which will require a single
6 outlet, the Zoning Commission may require that money
7 in escrow be placed with the County so as to provide
8 for a marginal service drive, equal in length to the
9 frontage of the property involved. Occupancy permits
10 shall not be issued until the improvement is
11 physically provided or monies have been deposited with
12 the township."

13 Not a clue why that's added.

14 MS. LAND: You know places where you -- we
15 don't have them so much in Findlay. But in other
16 cities, they have them. In Findlay, they kind of tend
17 to put them at the back of the lots where you can --
18 like over by GFS and all those along there where you
19 can't get into them off Tiffin Avenue. You've got to
20 go back one street to come into the lot. That would
21 be the kind of thing we're talking about.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: If they have only a very narrow
24 opening, you end up with a lot of cuts, like they have

1 farther up on Tiffin Avenue, and that's a nightmare
2 you don't want.

3 SECRETARY STACY: Right.

4 MS. LAND: And you have the potential for
5 that on some -- like, on 220, the connector road there
6 at 99 or 212. I don't know where it turns from one to
7 the other.

8 SECRETARY STACY: Right.

9 MS. LAND: I'm not -- it's up to you guys.
10 Do you want to add something like that?

11 MS. PARGEON: As a safety feature.

12 SECRETARY STACY: Yeah.

13 MS. PARGEON: Definitely for safety.

14 MS. LAND: The question is, though, if
15 you're posting a bond, who is building it? It doesn't
16 say that anybody is building it; they are posting a
17 bond for it.

18 Does that mean the township wants to build
19 it? You don't want to get into that business because
20 that's very expensive. It would be part of their
21 infrastructure. You would be asking them to -- I just
22 don't see that, other than we get into a PUD where you
23 start regulating where everything is going to lay out.

24 Where, in a subdivision, I'm not sure how

1 that would be applicable and how you could use it
2 without really damaging property owners, and that's
3 way restrictive.

4 So it's up to you guys. You can do it, but
5 this is one of those things that, you know, if you
6 want to stay as liberal as you can with allowing
7 property owners as much flexibility as you can
8 possibly give them, this would really cramp down on
9 that a lot.

10 This is the kind of thing that subdivision
11 regs would help take care of, because if somebody
12 comes along and they only have one little space and
13 they need to get out, and, you know, have a driveway,
14 but it's right on top of other driveways, they
15 wouldn't let them do it. They will make them go out
16 another way and come around. So this is a place where
17 maybe the county subdivision regs would be your safety
18 net without you having to put it on there. It's
19 something to look at.

20 SECRETARY STACY: Yeah.

21 CHAIRPERSON TIMMERMAN: I agree with that.

22 SECRETARY STACY: That seems very -- there
23 must have been something very specific --

24 CHAIRPERSON TIMMERMAN: Right. They had a

1 scenario.

2 SECRETARY STACY: -- that that addressed.

3 MS. LAND: Well, back when this book was
4 written was in 2002.

5 SECRETARY STACY: Yeah.

6 MS. LAND: That was about the point that all
7 of the stuff was popping up all over on Tiffin Avenue,
8 and they were scared that it would come up this
9 direction up Main Street and farther into Allen
10 Township, and, then, have that problem with cuts out
11 all over the place and people pulling in and out. It
12 cuts down on the ability to move traffic.

13 Well, we haven't had that problem. So
14 I think that the subdivision regs didn't really --
15 weren't a thing too much.

16 CHAIRPERSON TIMMERMAN: That's controlled by
17 the County level?

18 MS. LAND: Uh-huh.

19 CHAIRPERSON TIMMERMAN: Subdivision regs.

20 MS. LAND: The county engineer. And if
21 there is a request for a variance, the hearing
22 includes or -- by the township or the County
23 Commissioners, they have one trustee from the township
24 that's involved; they invite them to come. Sometimes

1 they do; sometimes they don't. The sheriff is there
2 and the county engineer. They all weigh in on if
3 that's going to be a hazard or a problem. Sometimes
4 it's no big deal and they say, Yeah, we can let a
5 driveway be here.

6 Like if it's straight across from another
7 driveway and there's already a driveway, so what
8 difference does it make? They have a group talk about
9 it. It's not, you know, one person making a call or
10 anything.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MR. EVANS: Moving on to Section 1516,
13 Frontage on a Public Street.

14 No lot shall be used for any purpose
15 permitted by this Resolution unless said lot abuts a
16 public street or duly recorded easement of access
17 unless otherwise provided for in this Resolution.

18 MS. LAND: Anybody got any issues with that?

19 SECRETARY STACY: Just a quick circle back
20 to part D. I circled it. I guess I'm not familiar
21 with that word.

22 MS. LAND: Appurtenances thereto. That
23 would be anything that normally goes along with it.
24 Like, when we build roads and put the drainage beside

1 it and we say, "and all appurtenances thereto," which
2 means anything else that we don't know about that
3 needs to be built to make that system work.

4 SECRETARY STACY: Okay.

5 MS. LAND: It's sort of a legal term that is
6 sort of the catch-all for things that we don't know
7 about.

8 SECRETARY STACY: That's fine. Okay. All
9 right.

10 MS. LAND: I don't really know how to put it
11 in a way other than that.

12 SECRETARY STACY: If it addresses what it
13 needs to address.

14 MR. EVANS: Section 15. Artificial Ponds
15 and Lakes.

16 MS. LAND: This whole section needs to go
17 and we need to replace it with something a bit more
18 specific. Like, I think that was a meeting quite a
19 while ago that I handed out the proposed ones that
20 Liberty Township or Washington Township was looking
21 at. I think it was maybe on the 15th. Yeah. Meeting
22 4-15. Do you guys have that? Wait a minute.

23 SECRETARY STACY: Are you talking about
24 Definitions?

1 MS. LAND: No. The Definitions were on
2 4-15. I handed out the stuff from Liberty Township,
3 what they were doing to change their -- boy, I hope
4 I gave it to you. If I didn't, I'll bring it next
5 time. We can skip over this until we get there.

6 SECRETARY STACY: I'm not sure we have what
7 you're talking about unless someone else --

8 CHAIRPERSON TIMMERMAN: I don't see it
9 myself.

10 SECRETARY STACY: I'm seeing Definitions. I
11 remember that.

12 MS. LAND: They have a new section that they
13 put together for Ponds. They took out lakes
14 completely. They identified the size of ponds. It's
15 in the memo for the Definitions to add in the borrow
16 pit, ponds, and those kinds of things.

17 I would like to replace all of this with
18 something similar to that.

19 SECRETARY STACY: Okay.

20 MS. LAND: We've discovered that this is
21 something that can be taken advantage of. You know,
22 they are being taken advantage of at the moment. We
23 don't want that to happen here. We realize that this
24 might be flawed --

1 SECRETARY STACY: Okay.

2 MS. LAND: -- or outdated.

3 SECRETARY STACY: Yes.

4 MS. LAND: One of the things that you don't
5 have in this that they did -- which caused a bit of a
6 problem, but is still necessary, is it doesn't say
7 anything in here about who has to draw up the pond for
8 you guys to be able to have an approval.

9 There's always been a bit of contention
10 about whether it needs to be drawn up by an engineer
11 or if it can be drawn up by -- you know, you don't
12 want somebody to just put a squiggly circle on a paper
13 and say, This is where our pond so going to be. Give
14 me an approval.

15 We want elevations. We want depths. We
16 want the bank slopes, overflows, how it's going to be
17 compacted. All of that information you need to know
18 before you can grant a pond, because, otherwise, you
19 could end up letting somebody build something that
20 seriously damages their neighbors. That's something
21 that you don't want to give a permit for.

22 They currently said it to had to be approved
23 by Soil and Water, which they do have a process where
24 they will approve and design a pond for you, which is

1 cheaper than having a Registered Engineer do it, or a
2 Licensed Engineer, or whatever they are called.

3 I would prefer seeing, "by a Licensed
4 Engineer or Soil and Water." Give people an option.
5 Because if they are doing a plan for their house, a
6 lot of times they'll just go ahead and design the pond
7 at the same time and all that. But you need to have
8 somebody that has a stamp of some expertise on having
9 put that together before it comes to you. Does that
10 make sense?

11 SECRETARY STACY: Yes.

12 MS. PARGEON: Yes.

13 MS. LAND: I will mark that out and
14 highlight it, get the other one and bring it for you.
15 I thought I brought it but I guess I didn't.

16 MR. EVANS: So I don't need read any of the
17 Pond stuff. Start with Article -- is that XVI?

18 CHAIRPERSON TIMMERMAN: Let's pause there
19 for a second.

20 First of all, it's getting close to 7:00.

21 Is this the section where you would put
22 wind, solar, and other things? This is where -- right
23 here is -- right here is where Washington had --

24 MS. LAND: Right here before General

1 Exceptions.

2 CHAIRPERSON TIMMERMAN: Yes.

3 MS. LAND: Yes. And I have something for
4 you guys to review before the next time. I have a
5 packet for each of you. Each paper clip is the
6 packet.

7 SECRETARY STACY: I'm going to take two
8 because I'm going to get one for Darrin.

9 MS. LAND: Okay. Good.

10 These are -- I have in there the one that
11 Liberty Township is working on, one that is a template
12 from the Ohio Township Trustees Association, one that
13 Washington Township did adopt, and one that Delaware
14 Township did adopt. They are all slightly different
15 but generally in the same ballpark. I think they all
16 came from that Ohio Township Trustee Association
17 template. Read through those and be ready to discuss
18 it next time because I think it requires some
19 significant discussion.

20 CHAIRPERSON TIMMERMAN: Uh-huh.

21 MS. LAND: Not just a rubber stamp. And,
22 then, that way, anybody who wants to address it,
23 you'll have time for them.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. PARGEON: Sounds good.

2 CHAIRPERSON TIMMERMAN: With that, I think
3 this is a good spot to stop.

4 MS. LAND: Ask if there are questions.

5 CHAIRPERSON TIMMERMAN: Any questions?
6 Comments?

7 FROM THE FLOOR: I was rethinking that
8 statement I made about the setbacks for the fence.

9 CHAIRPERSON TIMMERMAN: Okay.

10 FROM THE FLOOR: Maybe a more appropriate
11 way would be something like half the distance of its
12 height. I'm thinking of the slope of a ladder to
13 maintain it, and if you had a real tall one, 2 feet
14 isn't going to give you enough room to take care of
15 your fence.

16 CHAIRPERSON TIMMERMAN: If you have 2 feet
17 and your neighbor had 2 feet, you have 4 feet.

18 FROM THE FLOOR: Food for thought. I'm not
19 debating it.

20 CHAIRPERSON TIMMERMAN: Then it goes into --
21 if you're on a ladder on your neighbor's property and
22 you fall, is there a lawsuit?

23 FROM THE FLOOR: That's what I was thinking.
24 It ought to be as much back as it requires to set a

1 ladder to get the height you need. Does that make
2 sense?

3 CHAIRPERSON TIMMERMAN: I understand your
4 point for sure.

5 FROM THE FLOOR: It's not -- it's just for
6 you guys to think about.

7 CHAIRPERSON TIMMERMAN: Right. Yeah.

8 FROM THE FLOOR: It's a trivial matter.

9 MS. LAND: You guys make your choices.
10 I don't have an opinion on that either way. I do
11 believe there needs to be sufficient enough setback
12 that you don't encroach on your neighbor and you have
13 room to be able to maintain it.

14 CHAIRPERSON TIMMERMAN: Right.

15 SECRETARY STACY: Correct.

16 MS. LAND: Now, the question is: What do
17 you need to be able to maintain it? If you go up to
18 8 feet, he's right, you're probably going to need more
19 space. 6 feet, you don't really need any more space
20 because people don't need a ladder to paint up 6 feet.

21 CHAIRPERSON TIMMERMAN: Even me.

22 MS. LAND: Even you.

23 (Laughter.)

24 MS. LAND: He's the one that said it.

1 CHAIRPERSON TIMMERMAN: It's fair game.
2 Very valid point, though.

3 MS. LAND: Do you want to go to 8 or leave
4 it at 6?

5 CHAIRPERSON TIMMERMAN: I'd keep the fence
6 at 8. I'd say kind of half the height, kind of, or
7 something like that.

8 If you do have the half the height, let's
9 create a different scenario where we --

10 MS. LAND: That's 4 feet, that's 8 feet
11 between the fences.

12 CHAIRPERSON TIMMERMAN: Right.

13 MR. EVANS: Unless the neighbor puts up a
14 6-foot.

15 CHAIRPERSON TIMMERMAN: If you put up a
16 4-foot fence, now you only have 2 feet, again, you
17 don't need a ladder. But is there a scenario where,
18 if we went with a 1 foot, that only needs 6 inches,
19 and now you can't get a Weed Wacker in between there.
20 You get my point?

21 I don't think it makes a lot of sense, but
22 is there a scenario, is all I'm trying to dream up?

23 MR. EVANS: Where maybe you set a minimum?

24 CHAIRPERSON TIMMERMAN: That's where I was

1 going with it.

2 MR. EVANS: I mean, half the distance, not
3 to be any less than 2 feet.

4 CHAIRPERSON TIMMERMAN: Not less than
5 2 feet. 2 feet or half the height of the fence,
6 whichever is greater.

7 MR. EVANS: Yeah, there you go. That's a
8 good way to word it. Kind of the same thing.

9 CHAIRPERSON TIMMERMAN: Yeah. I'm okay with
10 that.

11 Any other questions? Comments?

12 (No response.)

13 SECRETARY STACY: So we're going to tweak
14 that fence part, right?

15 CHAIRPERSON TIMMERMAN: Yeah.

16 SECRETARY STACY: Do you want to make a
17 motion?

18 CHAIRPERSON TIMMERMAN: I was just making
19 sure that everybody's caught up.

20 I'm ready to adjourn whenever everybody's --
21 if you're not done with anything.

22 SECRETARY STACY: No. I will -- just a
23 quick -- I was speaking with someone today, and,
24 again, this had to do with pools. We were talking

1 about a fence being necessary, especially for a pool.
2 Although we talked about if it's in ground or
3 up ground that could come into play.

4 They brought up the thing about an automatic
5 pool liner and, evidently, that's an issue that's
6 coming up in Liberty Township. So if I understand, a
7 pool liner is such that it seals off the top of the
8 pond (sic), because some of the residents there are
9 questioning, Do I still need a fence.

10 MS. LAND: Yes, because sometimes it has
11 water.

12 SECRETARY STACY: On top?

13 MS. LAND: Sometimes they don't have that
14 closed.

15 SECRETARY STACY: Oh.

16 MS. LAND: I mean, I know what they mean.
17 They are the ones that basically put a floor over it,
18 so now you have a patio where there is a pool
19 underneath it, which is great. But there are going to
20 be times when this pool is open and nobody is out
21 there, and that's the point where they need to have
22 the fence.

23 SECRETARY STACY: That's true.

24 FROM THE FLOOR: Those covers -- those

1 automatic covers, they are made with a supported
2 plastic fabric and they run on tracks. You push a
3 button, it closes. But just as you pointed out, if
4 you don't push the button, it's just a pool.

5 MS. LAND: Right.

6 FROM THE FLOOR: You've got to have a fence
7 around the pool. You've got to.

8 SECRETARY STACY: I think it's required on
9 your homeowners. I did speak with someone who writes
10 insurance and they said, If you have a pool, you must
11 have a fence. It's just part of the insurance.

12 FROM THE FLOOR: Ideally, if you're being --
13 not that you want to zone it. But, technically, if I
14 have a glass sliding door that leads out to my
15 fenced-in area, you should technically have a fence in
16 between another barrier in between that and the pool
17 for children that may get out. But that is not
18 something that's ever zoned that I've seen, but it is
19 a smart practice to have that so the kids -- a child
20 can't get in there.

21 SECRETARY STACY: The other point this
22 person made about Liberty Township, they said just be
23 aware of corner lots in a subdivision because of the
24 two front yard scenario. You just don't want that

1 fencing to obscure traffic. They kind of touched on
2 that. It's a safety issue then.

3 CHAIRPERSON TIMMERMAN: Did a 4-foot fence,
4 as long as it's --

5 MS. LAND: If you've got 50 percent vision
6 through it, I mean, you can probably see through it.
7 It can't be solid. And if you're -- I don't know.
8 I drive a little bit taller car, but I don't know with
9 low cars if you can see over it or not.

10 MR. EVANS: Probably pushing it.

11 CHAIRPERSON TIMMERMAN: It might be smart
12 to -- is there any kind of a little more restriction
13 on a corner lot?

14 MS. LAND: Is the corner lot any more than
15 your neighbor's lot, though? I mean, if you're
16 backing out and your neighbor has it clear out to the
17 road, you're still -- it's no different there than on
18 a corner lot. They still have to stay off the
19 right-of-way.

20 SECRETARY STACY: Uh-huh.

21 MS. LAND: It can't go over the sidewalk,
22 out in the treelawn area. It's on their lot only.

23 I'm not thinking we're going to run into big
24 issues with it, especially being lower in the front

1 and 50 percent visibility.

2 If we find out that it is becoming an issue,
3 then you go back and revisit it and update the
4 regulation to be able to cover that.

5 SECRETARY STACY: Okay.

6 CHAIRPERSON TIMMERMAN: Were those all the
7 comments? All right.

8 SECRETARY STACY: Can I have a motion to
9 adjourn?

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

11 MR. EVANS: I'll second that.

12 SECRETARY STACY: All in favor, say "Aye."
13 (Vote taken.)

14 SECRETARY STACY: Motion passed.

15 - - -

16 And, thereupon, the proceedings were
17 concluded at 7:01 p.m.

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