

1                   BEFORE THE ALLEN TOWNSHIP TRUSTEES

2                                   VAN BUREN, OHIO

3                                   - - -

4 In Re:   Allen Township Trustee Meeting

5                                   - - -

6  
7                                   Sunday, January 28, 2024  
8                                   6:00 p.m.  
9                                   Allen Township Center  
10                                  12829 State Route 613  
11                                  Van Buren, Ohio 45889

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13                                  - - -

14                                  SUSAN L. COOTS, RPR  
15                                  REGISTERED PROFESSIONAL REPORTER

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22                                  ANDERSON REPORTING SERVICES, INC.  
23                                  3040 Riverside Drive, Suite 125  
24                                  Columbus, Ohio 43221  
                                     (614) 326-0177

1 APPEARANCES:

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9 On behalf of the Allen Township Trustees.

10 BOARD MEMBERS:

11 Nikki Goodwin, Chairperson  
12 Dallas Sterling  
13 Mark Maas  
14 Heather Schlaepfi  
15 Matt Cordonnier, Regional Planning

16 - - -

1 SUNDAY EVENING SESSION  
2 January 28, 2024  
3 6:00 p.m.

4 - - -

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

6 - - -

7 BE IT REMEMBERED THAT, on the 28th day of  
8 January, 2024, this cause came on for hearing before  
9 the Allen Township Trustees. And the parties  
10 appearing in person and/or by counsel, as hereinafter  
11 set forth, the following proceedings were had:

12 - - -

13 MR. STERLING: Well, I think we can at least  
14 get started with the Pledge of Allegiance -- I don't  
15 know where she went with Joe, so -- to stay on  
16 schedule.

17 All right. Let's all stand and say the  
18 Pledge of Allegiance.

19 - - -

20 And, thereupon, the Pledge of Allegiance was  
21 recited.

22 - - -

23 MR. STERLING: Cindy will be in in just a  
24 moment. She has some news to share with us before we  
can kind of get started.

1           So we're just going to bide her the time  
2 that she needs and then we'll get started from there.

3           For curiosity's sake, I did call the Board  
4 of Elections and saw the election results from 2001.  
5 It was a non-gubernatorial or presidential year, so it  
6 was an off election year. They had a total of  
7 635 votes, and it had 299 "Yes" and 336 "Noes"; so a  
8 difference of 37 votes. And that was in 2001.

9           Biding some time. Allen Township does have  
10 a -- let's see. What census was this? -- population  
11 of 2,822.

12           CHAIRPERSON GOODWIN: Do you happen to know  
13 if -- I don't know if you asked this, how many people  
14 generally vote in a presidential election?

15           MR. STERLING: I did not. Huh-uh.

16           CHAIRPERSON GOODWIN: Okay. All right.

17           MR. STERLING: No, I did not.

18           So I thought that was an interesting number.  
19 I don't know if that's slightly higher or less than  
20 what you were expecting. It was a little higher than  
21 what I was expecting for Allen Township.

22           Some of the comparable townships around  
23 us -- let's see. Cass Township has 1,425 residents;  
24 Marion Township has 3,132; Portage Township has 585;

1 Liberty Township has 7,100. So just to kind of give  
2 you a comparison to what the other townships in our  
3 area are.

4 CHAIRPERSON GOODWIN: How many did you say  
5 ours has?

6 MR. STERLING: Ours has 2,822.

7 (Pause.)

8 MS. LAND: Have you guys started the meeting  
9 yet?

10 MR. STERLING: We did. We said the Pledge  
11 of Allegiance, and we're biding time for you to  
12 start -- or for us to say, okay, should we officially  
13 start the meeting, or --

14 MS. LAND: Okay. I think you should not  
15 have a meeting.

16 MR. STERLING: Okay.

17 MS. LAND: I think we need to cancel this  
18 meeting.

19 MR. STERLING: Okay.

20 MS. LAND: I received a letter late on  
21 Friday, which I'm not sure -- I -- I guess I'm glad  
22 I checked my email. And, basically, Allen Township is  
23 going to be sued by One Energy, indicating that what  
24 you guys are doing is illegal because they don't like

1 the notice that was given and that we appointed you as  
2 part of the notice that was going to be for initiating  
3 resolution.

4 Now, I don't believe anything was done  
5 wrong. They are saying it is; we're saying it is not.  
6 However, they're asking for an injunction which would  
7 stop anything you guys do and just hold everything up.

8 So I think at the next trustees' meeting, in  
9 a week, we will deal with getting all of that  
10 rectified so that then you guys can commence, if you  
11 guys are the ones that are appointed again --

12 MR. STERLING: Sure.

13 MS. LAND: -- to be starting on the --  
14 creating the Comprehensive Plan. So -- because -- and  
15 I've had a couple questions, you know, about whether  
16 we have a Comprehensive Plan. We do not, because  
17 that's what you guys are writing.

18 MR. STERLING: Right.

19 MS. LAND: So that when there is zoning,  
20 it's subject to a Comprehensive Plan.

21 MR. STERLING: Correct.

22 MS. LAND: So, at that point, you've not  
23 done anything.

24 MR. STERLING: That's correct.

1 MS. LAND: You've adopted a notice rule and  
2 you've appointed officers. But you've not done  
3 anything that is, in effect, having to do with the  
4 Comprehensive Plan.

5 So nothing that gets done later, if we  
6 decide to do this and re-notice everything and try  
7 again, will have been tainted. But anything you  
8 discuss tonight, they could claim is tainted and be  
9 part of that whole --

10 MR. STERLING: Sure.

11 MS. LAND: -- and hold everything up. So  
12 there's nothing that would be going before the voters  
13 that you guys have done yet.

14 MR. STERLING: Okay.

15 MS. LAND: So I'm sorry that we wasted your  
16 Sunday evening.

17 MR. STERLING: That's all right.

18 MS. LAND: But that's where we sit.

19 MR. STERLING: We are a volunteer group.  
20 So...

21 MR. MAAS: Should we be looking at another  
22 section --

23 MS. LAND: No.

24 MR. MAAS: -- to read ahead? Okay.

1 MS. LAND: No, because you guys aren't doing  
2 anything.

3 MR. MAAS: Okay.

4 MS. LAND: We still have those same rules:  
5 No talking among yourselves. It's kind of a  
6 chicken-and-egg thing because, if we don't really  
7 exist, there's no rules about you talking among  
8 yourselves. But I believe you do exist, and I don't  
9 want anything to end up being tainted, or at least --  
10 or even drawn in question to be able to slow  
11 everything down.

12 MR. STERLING: So after your next Tuesday,  
13 the regular township --

14 MS. LAND: I think it's a week from Tuesday.

15 UNKNOWN SPEAKER: A week from Tuesday, on  
16 the 6th.

17 MR. STERLING: The 6th.

18 MS. LAND: A week from Tuesday.

19 MR. STERLING: On the 6th. So we're  
20 postponing this meeting, the next meeting, and we  
21 wouldn't have one --

22 MS. LAND: Anything -- all of that is just  
23 completely wiped away at this point.

24 MR. STERLING: Okay. We'll just -- Okay.



1 MS. LAND: We'll have to wait and see.

2 We'll have -- I'll have some things ready to  
3 discuss with the trustees to decide how they want to  
4 handle it.

5 MR. STERLING: Sure. Okay.

6 MS. LAND: I just discussed it with one  
7 trustee in order to get some direction on what  
8 I should be doing.

9 MR. STERLING: Okay.

10 MS. LAND: Which doesn't violate anything.  
11 Number one, I'm legal counsel.

12 And, two, there's only one of them. But...

13 MR. STERLING: Okay.

14 MS. LAND: That's what we are doing. And I  
15 will have some -- we'll have things to discuss at that  
16 meeting to get this sorted out. But until then --

17 MR. STERLING: All right then.

18 MS. LAND: I would rather postpone a little  
19 bit --

20 MR. STERLING: Sure.

21 MS. LAND: -- than to have any kind of  
22 anything that could be tainted, for lack of a better  
23 word.

24 MS. SCHLAEPPPI: So we should not come to the

1 trustees' meeting next week?

2 MS. LAND: I would prefer you guys not come.

3 MR. STERLING: Yeah.

4 MS. LAND: I mean, you're welcome to --

5 MR. STERLING: Sure. I'll probably --

6 MS. LAND: -- because it's still public, and  
7 you're not meeting -- it's not under the Sunshine Law.  
8 It's a prearranged meeting to discuss specific  
9 business is a meeting. So if you guys are all there  
10 and don't discuss anything, you're just people coming  
11 to a meeting. You're welcome to do that. But we  
12 don't want to give anybody anything to pick at, so  
13 I would prefer you didn't.

14 MR. STERLING: Okay.

15 MS. LAND: All right.

16 MR. STERLING: Sounds good.

17 MS. SCHLAEPPI: So minutes from last  
18 meeting?

19 MS. LAND: No, we'll just hold on to them.

20 MS. SCHLAEPPI: There are no minutes from  
21 this meeting?

22 MS. LAND: No, because not -- we're not  
23 having a meeting.

24 MS. SCHLAEPPI: Okay.

1 MS. LAND: I mean, you opened a meeting, but  
2 we're not discussing business.

3 MR. STERLING: Yeah.

4 MS. LAND: And it will still probably cost  
5 the trustees \$500, if the other sides wins. So...

6 MS. SCHLAEPPI: So we don't actually have to  
7 close the meeting because we didn't open it?

8 MR. STERLING: Correct.

9 MS. LAND: If you opened a meeting, close  
10 the meeting.

11 MR. STERLING: Yeah. I mean, don't we have  
12 to, when we go to open a meeting, say, Okay. Do we  
13 choose now to open the meeting? Don't we have to say  
14 that?

15 MS. LAND: Have you opened a meeting?

16 MR. STERLING: No. Huh-uh.

17 CHAIRPERSON GOODWIN: We said the Pledge and  
18 that's it.

19 MR. STERLING: We said the Pledge, and then  
20 we were waiting for you.

21 MS. LAND: Then you didn't have a meeting;  
22 you don't have to adjourn it.

23 MR. STERLING: Okay.

24 CHAIRPERSON GOODWIN: Okay.

1 MS. LAND: All right.

2 MR. STERLING: All right. Well, sorry for  
3 the inconvenience to the general public as well.  
4 I appreciate your interest. We'll see what goes from  
5 here.

6 UNKNOWN SPEAKER: I just have a question.  
7 Who is everybody in -- pertaining to all this?  
8 I mean, I'm just -- are you all Allen Township  
9 members?

10 MR. STERLING: Oh, yeah.

11 UNKNOWN SPEAKER: Okay. Yeah. Residents.

12 UNKNOWN SPEAKER: Residents. Okay.

13 Along those same lines, I've been seeing  
14 some rumors going around online, and I'd just like to  
15 give an understanding of this. I've seen wild figures  
16 out there that each of your salaries for doing this  
17 are -- some in the millions. That -- that -- that's  
18 what I've seen some people posting.

19 MS. LAND: Dang. My check got lost in the  
20 mail.

21 MS. SCHLAEPPPI: I was told I was a  
22 volunteer.

23 UNKNOWN SPEAKER: Right. And I just want to  
24 clarify: This is a volunteer thing for each person?

1 MS. SCHLAEPPPI: I can clarify I'm not being  
2 paid at all.

3 - - -

4 And, thereupon, the proceedings were  
5 concluded at 6:09 p.m.

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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                           Tuesday, April 9, 2024

9                           5:30 p.m.

10                          Allen Township Center

11                          12829 State Route 613

12                          Van Buren, Ohio 45889

13                          - - -

14                          SUSAN L. COOTS, RPR

15                          REGISTERED PROFESSIONAL REPORTER

16                          - - -

17

18

19

20

21

22                          ANDERSON REPORTING SERVICES, INC.

23                          3040 Riverside Drive, Suite 125

24                          Columbus, Ohio 43221

                          (614) 326-0177

1 APPEARANCES:

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

9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

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

17 - - -

1 TUESDAY EVENING SESSION  
2 April 9, 2024  
3 5:30 p.m.

4 - - -

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

6 - - -

7 BE IT REMEMBERED THAT, on the 9th 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: Do we need a motion  
14 to start this meeting at this point?

15 MS. LAND: No, you just call to order.

16 CHAIRPERSON TIMMERMAN: Just call to order?

17 MS. LAND: Yep. Listen up. Here we go.

18 CHAIRPERSON TIMMERMAN: All right. Go for  
19 it, if you've got something.

20 MS. LAND: The first thing is you need to  
21 read and approve the minutes from the last meeting.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: Because I imagine there will be a  
24 public records request for them tomorrow. You need to  
be prepared.

1 CHAIRPERSON TIMMERMAN: Okay. Do I do that  
2 then?

3 SECRETARY STACY: I would.

4 CHAIRPERSON TIMMERMAN: I'm going to do a  
5 roll call.

6 Dave Evans.

7 MR. EVANS: Here.

8 CHAIRPERSON TIMMERMAN: Clara Pargeon.

9 MS. PARGEON: Here.

10 CHAIRPERSON TIMMERMAN: Darrin Rehus.

11 VICE CHAIRPERSON REHUS: Here.

12 CHAIRPERSON TIMMERMAN: Deb Stacy.

13 SECRETARY STACY: Yes.

14 CHAIRPERSON TIMMERMAN: John Timmerman,  
15 here.

16 We'll do the reading of the April 2nd  
17 meeting.

18 SECRETARY STACY: Do you want me to read it  
19 since I took them?

20 MS. LAND: That's normally how we do it.

21 CHAIRPERSON TIMMERMAN: Is that something we  
22 should, like, email out, rather than --

23 MS. LAND: No, I'd prefer you didn't.

24 CHAIRPERSON TIMMERMAN: Okay. All right.

1 SECRETARY STACY: On other boards, you do.

2 MS. LAND: Yeah, but on this one, let's not.

3 CHAIRPERSON TIMMERMAN: Okay.

4 SECRETARY STACY: Allen Township Zoning  
5 Commission, April 2nd, 2024.

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

8 2404-1M. Deb Stacy made a motion to appoint  
9 John Timmerman as the Chairman of the Allen Township  
10 Zoning Commission. Clara Pargeon seconded the motion.  
11 Motion passed.

12 2404-2M. Deb Stacy volunteered to serve as  
13 Secretary of the Allen Township Zoning Commission.  
14 Clara Pargeon seconded the motion. Motion passed.

15 2404-3M. Darrin Rehus volunteered to serve  
16 as Vice Chairman of the Allen Township Zoning  
17 Commission. John Timmerman seconded the motion.  
18 Motion passed.

19 Cindy Land, Assistant County Prosecutor,  
20 pointed out that the Allen Township Zoning Commission  
21 Public Hearing will be held the first part of July.  
22 The public hearing to be held by the Allen Township  
23 Trustees will need to be held the first part of  
24 August.

1           Members of the commission discussed which  
2 days of the week, as well as a starting time, would be  
3 the most accommodating for them. It was decided that  
4 the meeting time would be 5:00 p.m. with a maximum  
5 length of two hours. Three of the five commission  
6 members would be needed to hold the meeting.

7           The first meeting for the commission is  
8 scheduled for April 9th, 2024, at 5:00 p.m. It was  
9 proposed to hold the following meetings on:

10 April 11th, April 15th, April 18th, April 22nd,  
11 April 25th, April 29th, and May 2nd at 5:00 p.m.

12           The main topic for the April 9th meeting  
13 will focus on the definitions as listed in the zoning  
14 book.

15           2404-4M. Clara Pargeon moved to adjourn the  
16 meeting. David Evans seconded the motion. Motion  
17 passed.

18           So you can make a motion to approve those  
19 minutes.

20           MS. LAND: Unless there are any additions or  
21 corrections.

22           SECRETARY STACY: Are there any additions or  
23 corrections, other than changing in the "E" to an "A."  
24 I apologize.

1 CHAIRPERSON TIMMERMAN: I don't know that  
2 it's an addition or correction, I guess, but it says a  
3 maximum length of two hours. Is that, like, locked in  
4 at exactly two hours?

5 MS. LAND: No. That's just what was  
6 discussed.

7 CHAIRPERSON TIMMERMAN: Okay. Yeah. Then I  
8 move to accept the minutes.

9 MR. EVANS: I second.

10 SECRETARY STACY: Okay.

11 CHAIRPERSON TIMMERMAN: All in favor.

12 (Vote taken.)

13 SECRETARY STACY: Motion passed.

14 MS. LAND: The minutes need to be signed by  
15 the president, or Chair. Whatever.

16 One thing I do need to point out is we  
17 started at 5:30 today. The notices went in at 5:30,  
18 and that was my mistake. I had 5:00 and 5:30 both  
19 written down in my notes; I couldn't remember which  
20 and I picked the wrong one. I have contacted Mark,  
21 and he's going to make the announcement or change the  
22 notice to have it actually set for 5:00 for next week.  
23 This week, though, there's not enough time to get the  
24 notices in so we'll have 5:30.

1 VICE CHAIRPERSON REHUS: So Thursday will be  
2 5:30.

3 MS. LAND: 5:30, yeah.

4 CHAIRPERSON TIMMERMAN: You said the meeting  
5 minutes need to be signed?

6 MS. LAND: Yeah. Just sign the bottom.

7 CHAIRPERSON TIMMERMAN: Just here?

8 MS. LAND: Yeah.

9 CHAIRPERSON TIMMERMAN: This is it? Anybody  
10 copy?

11 MS. LAND: That's the official copy. Now,  
12 when it's signed --

13 SECRETARY STACY: Yeah.

14 MS. LAND: The other thing is, on  
15 April 18th, that Thursday, I'm going to be in Columbus  
16 all day. I have a CLE that I have to be at for  
17 prosecutors. I will be on the road headed back,  
18 though, by about 4:30, so I will talk to you on the  
19 phone until I can get here and we can go through it  
20 that way if that works for you guys.

21 SECRETARY STACY: Okay.

22 CHAIRPERSON TIMMERMAN: Sure.

23 MS. LAND: I won't be able to look at  
24 anything because I'll be driving, but I can at least



1 listen and interject.

2 SECRETARY STACY: Okay.

3 CHAIRPERSON TIMMERMAN: I guess the agenda  
4 says the zoning commission will discuss the  
5 construction of language, definitions in Exhibit A,  
6 and any other pertinent information related to the  
7 formulation of the Allen Township Zoning Commission  
8 Resolution.

9 MS. LAND: I have a couple of things for you  
10 before you get started however.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. LAND: One of the things that you need  
13 to do, and at any meeting, you can address any issue  
14 that can legally be brought before the board, as long  
15 as it's a noticed public meeting. That's what you  
16 have here.

17 We'll get to that in a minute. But, first,  
18 I have some documents to hand out to each of you.  
19 They are checklists and guidelines and the code  
20 section that sets up a zoning commission. So I've got  
21 one for John there.

22 CHAIRPERSON TIMMERMAN: Thank you.

23 SECRETARY STACY: Y'all got one.

24 MS. LAND: This is just a -- it's sort of a

1 timetable. You know, the list of what you need to do.  
2 The zoning commission, what your responsibilities are.

3 The code section that is the response that  
4 identifies what a zoning commission is and does.

5 And, then, there's a document that Regional  
6 Planning provided to us the last time we had attempted  
7 to do this. It's just some Frequently Asked Questions  
8 about how zoning works and what's expected. Take all  
9 of that with a grain of salt because it's very  
10 general. It doesn't necessarily apply to only rural  
11 township zoning. It's also urban zoning and city  
12 zoning and village zoning.

13 But it still gives you a good idea of the  
14 scope of what you can do. Zoning is not completely  
15 all powerful. There are limits to what you can and  
16 what you can't do, and that gives you a little bit of  
17 a scope there.

18 The next thing is every public entity that  
19 has public meetings needs to adopt a rule that  
20 identifies under the Sunshine Law how people can get  
21 notice of your meetings.

22 What I have put together for you to consider  
23 is a Resolution, and I have two copies of it so you  
24 can -- I have another one here. I have three all

1 together, so you guys are having going to have to  
2 share.

3 It's a Resolution that will adopt a rule  
4 that the township zoning commission will use in the  
5 event that anybody wants to ask for any special  
6 notice. You've already received one standing request  
7 for notice of any time you're going to have a meeting,  
8 and that -- you know, we're taking care of that. Mark  
9 and I have got that under control.

10 What I put together for you that you would  
11 adopt with this Resolution is this rule, and it is  
12 exactly like the one that the township trustees use,  
13 except it's changed to zoning commission in places  
14 where it's appropriate.

15 That way, mostly Mark is the one -- Mark  
16 Schimmoeller is the one that's going to be doing the  
17 action on this, giving the notices, so I wanted to  
18 make it just like his. And, then, also, it's not  
19 confusing for residents because it's the same for you  
20 as it is for the Trustees.

21 SECRETARY STACY: Okay. So our names go  
22 here?

23 MS. LAND: Uh-huh.

24 SECRETARY STACY: And do you want each of us

1 to write our name?

2 MS. LAND: You can write everybody's name.

3 SECRETARY STACY: I can write everyone's  
4 name, and then everyone would sign there?

5 MS. LAND: Sign their own with their vote  
6 with the little line that's separated by the dash.

7 SECRETARY STACY: Okay.

8 MS. LAND: So you need someone to move, a  
9 second, and then a vote on whether or not the  
10 Resolution will be adopted.

11 It's almost the exact same Resolution the  
12 Trustees use when they adopt it.

13 SECRETARY STACY: Sure. Do you want me to  
14 just -- do you want me to print in order --  
15 alphabetical order the names here, or how do you  
16 want --

17 MS. LAND: Any way you want to. Whatever is  
18 convenient.

19 SECRETARY STACY: And, then, do you keep  
20 this, or do I keep this and put this -- incorporate  
21 this into --

22 MS. LAND: It will be incorporated into the  
23 minutes.

24 SECRETARY STACY: For tonight?

1 MS. LAND: Yes.

2 SECRETARY STACY: Okay.

3 MS. LAND: It's probably a good idea to  
4 leave the minutes and the Resolutions here.

5 SECRETARY STACY: Okay.

6 MS. LAND: There was a drawer before that  
7 Mark gave Heather, when she was doing it, to keep  
8 stuff here, so that they're easy for accessibility --

9 SECRETARY STACY: Sure.

10 MS. LAND: -- when we have to provide them.

11 CHAIRPERSON TIMMERMAN: I assume it's in the  
12 office?

13 MS. LAND: Yeah. He's not here.

14 CHAIRPERSON TIMMERMAN: And we don't have  
15 access to that?

16 MS. LAND: Yeah. So you'll probably have to  
17 take them with you tonight. But, after that, we'll  
18 talk to Mark about getting that straightened out.

19 SECRETARY STACY: All right. I'm going to  
20 go ahead and print everybody's name in alphabetical  
21 order. And I will spell yours correctly.

22 Is Dave okay? You don't go by David or  
23 anything, right?

24 MR. EVANS: That's fine. I don't know if it

1 makes a difference.

2 MS. LAND: No, it doesn't make any  
3 difference.

4 CHAIRPERSON TIMMERMAN: Cindy, did you email  
5 all of us?

6 MS. LAND: No. Only those who didn't  
7 already have a copy.

8 CHAIRPERSON TIMMERMAN: Yeah. I assumed  
9 that's what it was.

10 MS. LAND: I knew you had a copy. I knew I  
11 had given Clara one, so I just emailed them to the  
12 others.

13 SECRETARY STACY: Clara, I want to make sure  
14 I have your last name, P-A-R-G-E-O-N?

15 MS. PARGEON: Yes.

16 SECRETARY STACY: Okay. Thank you.

17 D-A-R-R-I-N. I don't know why that tripped  
18 me up. R-E-H-U-S.

19 VICE CHAIRPERSON REHUS: Yeah.

20 CHAIRPERSON TIMMERMAN: D-A-R-R-I-N?

21 VICE CHAIRPERSON REHUS: Yeah.

22 SECRETARY STACY: I have yours right,  
23 don't I?

24 CHAIRPERSON TIMMERMAN: Yeah.

1 SECRETARY STACY: Okay.

2 MS. LAND: I pulled in and saw all of those  
3 cars and I thought, Oh, holy cow. I was so glad to  
4 see all of the kids with baseball bats, let me tell  
5 you. We thought it was noisy the last time.

6 SECRETARY STACY: Okay. So I think we're  
7 ready for -- if you want to go ahead and make the --  
8 somebody want to make a motion.

9 CHAIRPERSON TIMMERMAN: I'll move to accept  
10 this.

11 SECRETARY STACY: Okay. Need a second.

12 VICE CHAIRPERSON REHUS: I second.

13 SECRETARY STACY: All in favor.

14 (Vote taken.)

15 SECRETARY STACY: So sign in your  
16 appropriate space.

17 MS. LAND: And write your vote beside it on  
18 that little line that's separated.

19 SECRETARY STACY: Just a "Yes"?

20 MS. LAND: Just a "Y" or "Yes," or whatever.

21 SECRETARY STACY: Okay.

22 MS. LAND: When they had the commissioners  
23 meeting, they all wrote "Yep." Like, seriously?

24 SECRETARY STACY: Y-E-P?

1 MS. LAND: Yeah.

2 MR. EVANS: Must be a rural community.

3 SECRETARY STACY: Must have been feeling a  
4 little ornery.

5 MS. LAND: Yes, they were.

6 From the paper trail standpoint, it just  
7 needs to be clear that we knew which direction you  
8 were thinking. You can say "Aye," or draw a thumbs up  
9 for all I care, just so it's clear.

10 This is the rule attached to that.

11 SECRETARY STACY: Do you want me to go ahead  
12 and date it, too, and, then, that should wrap it up.

13 MS. LAND: Yeah. Anything that's done by  
14 the -- in one of these meetings becomes effective the  
15 date that it's reduced to writing and signed. That's  
16 why you have to sign the minutes at the next meeting,  
17 because whatever action was taken at that last meeting  
18 isn't effective until the minutes are approved and  
19 signed when it's reduced to writing. And this -- but  
20 a Resolution that we sign, that's why we do some of  
21 these freestanding, that gets attached to it. It's  
22 all part of it.

23 SECRETARY STACY: This is attached to it?

24 MS. LAND: That's the rule because it



1 becomes effective today because you signed it today.

2 SECRETARY STACY: Okay. Do I retype --

3 MS. LAND: No.

4 SECRETARY STACY: I just make reference to  
5 this, and, then, this is --

6 MS. LAND: Attached.

7 SECRETARY STACY: -- attached.

8 MS. LAND: You can assign it a number, like  
9 the ones you have on there. And, then, how you  
10 numbered these, you assign it a number.

11 SECRETARY STACY: Assign it a number, a  
12 motion.

13 MS. LAND: And, then, you can have, you  
14 know, that number in your minutes and say, "See  
15 Attached," and, then, you don't have to worry about  
16 retyping it because some of them will get kind of  
17 lengthy when you do that.

18 SECRETARY STACY: Sure.

19 MS. LAND: The next item of business before  
20 you can get to your real business is, on April 3rd,  
21 you received a public records request requesting a  
22 number of things from the zoning commission members.

23 You had been zoning commission members for  
24 less than 24 hours at that point, so the amount of

1 stuff that you have I think is relatively limited.  
2 But I do need to have you do your due diligence and  
3 check your files, whether maintained in electronic or  
4 paper form, containing, A, communications with or  
5 documents to or from Allen Township, any Allen  
6 Township Trustee, or any Allen Township Zoning  
7 Commission former, proposed, or actual member, and  
8 Hancock County Regional Planning Commission. This  
9 includes all emails exchanged between or among the  
10 Allen Township Zoning Commissioners, and/or Allen  
11 Township, including its legal counsel.

12 Okay. Anything from legal counsel, do  
13 not -- we don't provide. We'll argue that because  
14 legal counsel things are privileged. But there's  
15 nothing, so it doesn't matter at this point.

16 I don't know if any of you have any emails,  
17 texts, or anything that you received from any of the  
18 township trustees or from each other.

19 COMMISSIONER PARGEON: Huh-uh.

20 SECRETARY STACY: No. Nothing.

21 MS. LAND: A couple of you, it's three of  
22 you, have emails from me that included that document.  
23 I'll identify those, that those were there.

24 SECRETARY STACY: Okay.

1 MS. LAND: And, then, the next question is  
2 the record retention schedule. You don't have a  
3 record retention schedule. Your record retention  
4 schedule is that of the township, because, as a board  
5 of the township, you're covered by their records  
6 schedule. I will provide that to them. Although, I  
7 think it's being provided under the same -- a similar  
8 request that came on the same day to the trustees, but  
9 we'll deal with that. I'll make sure that it gets put  
10 in there.

11 They need this policy you just adopted.  
12 And, then, any notes, memoranda, documents, letters,  
13 or recordings prepared for or of the Allen Township  
14 Zoning Commission, the Allen Township Zoning  
15 Commission meeting conducted on April 4th. Was there  
16 a meeting on April 4th? Yeah, that's the day you were  
17 appointed, right?

18 COMMISSIONER PARGEON: Yeah.

19 MS. LAND: On April 3rd, you weren't even  
20 commission members yet. But whatever.

21 We don't -- you don't have any recordings.  
22 There are recordings, but they aren't yours.

23 SECRETARY STACY: That's correct.

24 MS. LAND: And the sign-in sheet from the

1 April 2nd Zoning Commission meeting. Was there an  
2 April 2nd Zoning Commission meeting?

3 FROM THE FLOOR: Yes. Right after the  
4 township meeting.

5 MS. LAND: Well, was there an April 4th  
6 meeting then?

7 SECRETARY STACY: No. It was the 3rd.

8 MS. LAND: I don't know about that April 4th  
9 thing. No idea.

10 SECRETARY STACY: We didn't meet.

11 MS. LAND: No, I thought it was the 2nd.

12 SECRETARY STACY: The trustees meet the  
13 first Tuesday.

14 MS. LAND: They met on the 2nd. You guys  
15 meet immediately after.

16 SECRETARY STACY: Correct.

17 MS. LAND: You had no sign-in sheet for your  
18 meeting. If there's a sign-in sheet, it was for the  
19 trustee's meeting.

20 SECRETARY STACY: Correct.

21 MS. LAND: It's not yours.

22 SECRETARY STACY: That's correct.

23 MS. LAND: So we don't have any record for  
24 that.

1           An agenda for the April 2nd meeting. You  
2 did not have an agenda because it was an  
3 organizational meeting.

4           SECRETARY STACY: Right.

5           MS. LAND: The minutes, draft or otherwise,  
6 from the April 2nd meeting. So I need a copy of what  
7 was just signed.

8           SECRETARY STACY: Sure.

9           MS. LAND: Documents prepared for use or  
10 review at April 2nd. There was nothing prepared for  
11 you to review at the April 2nd meeting. You didn't  
12 get anything until later when I gave you stuff.

13           And, then, let's see. All materials  
14 distributed to the Allen Township Zoning Commission  
15 commissioners for purposes of the April 2, 2024, Allen  
16 Township Zoning Commission meeting.

17           There wasn't anything distributed for the  
18 April 2nd meeting, other than you had some, and Clara  
19 had some that I gave that you had access to before you  
20 were even commissioners.

21           CHAIRPERSON TIMMERMAN: Right.

22           MS. LAND: But I will provide that book  
23 again. I think they probably have a stack this high  
24 of these books from the records requests that come

1 from this firm. But we'll provide it again because  
2 why not? It's public record. They can have it.

3 So, just for the record, none of you have  
4 any emails, other than what you received from me, or  
5 texts among yourselves?

6 MR. REHUS: No.

7 MS. LAND: Okay. I'll be able to answer  
8 this and have it ready to go. I'll answer it on your  
9 behalf, and I'll sign as your attorney.

10 SECRETARY STACY: Okay.

11 MS. LAND: I think that's the last of the  
12 housekeeping. We can get to the real work.  
13 Hopefully, we won't have so much housekeeping at every  
14 meeting.

15 SECRETARY STACY: Yeah.

16 CHAIRPERSON TIMMERMAN: All right. Do we  
17 just start at the Title?

18 MS. LAND: Uh-huh.

19 CHAIRPERSON TIMMERMAN: Reviewing other  
20 townships, there's all different ways this is done.  
21 Is this the standard? Is there a standard, like --

22 MS. LAND: No.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MS. LAND: You can pick any means that you

1 want to say this. You can -- some of the others have  
2 shorter enacting clauses; some have longer. It's up  
3 to you. It's good to have a more comprehensive like  
4 this. I like that better. It's up to you guys,  
5 though.

6 CHAIRPERSON TIMMERMAN: That's fine then.

7 And I saw --

8 MS. LAND: Is there anything in there that  
9 makes any of you uncomfortable?

10 CHAIRPERSON TIMMERMAN: No.

11 The only question I have with looking at  
12 them, and I don't know that I have it directly in  
13 front of me, one of them had a different number  
14 instead of the 519. Was that done a long time ago and  
15 it changed?

16 MS. LAND: For Allen Township?

17 CHAIRPERSON TIMMERMAN: No, not for Allen  
18 Township, but looking through other townships and  
19 going through --

20 MS. LAND: It might have been a village  
21 instead of a township.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: Because they are under different  
24 code sections. They would be under 7s instead of 5s.

1 Counties are under 3s. Chapter 3 of the Revised Code  
2 has to do with counties. Chapter 5 has to do with  
3 township. Chapter 7 has to do with municipalities.  
4 That could make a difference.

5 CHAIRPERSON TIMMERMAN: That's probably what  
6 it was then. Okay.

7 Do we just read through this then and make  
8 sure everybody's okay with it? Has everybody read  
9 through this already?

10 SECRETARY STACY: Right. Let me get to  
11 where you're at.

12 CHAIRPERSON TIMMERMAN: Right after the  
13 Table of Contents. Right after that is the Title and  
14 the Preamble.

15 SECRETARY STACY: Right there. Okay.

16 CHAIRPERSON TIMMERMAN: Is anybody a good  
17 reader?

18 MR. EVANS: What are the notebooks you guys  
19 have?

20 CHAIRPERSON TIMMERMAN: What's that?

21 MR. EVANS: The notebooks, were these just  
22 here?

23 CHAIRPERSON TIMMERMAN: We put these  
24 together at home.



1 MR. EVANS: Oh, you put them together from  
2 printing everything?

3 CHAIRPERSON TIMMERMAN: Right.

4 MR. EVANS: Okay. Gotcha. I read the stuff  
5 but didn't print it off.

6 CHAIRPERSON TIMMERMAN: Okay. Is there an  
7 extra copy, by chance, if he wants to make --

8 MS. LAND: You want to follow it on your  
9 phone?

10 MR. EVANS: Yeah.

11 SECRETARY STACY: Yeah. That would work.

12 I guess I have a question for, I guess,  
13 maybe style of language.

14 MS. LAND: Are we under Title?

15 SECRETARY STACY: Yeah. When I'm looking at  
16 this, it reads very --

17 MS. LAND: It's got a really long sentence.

18 SECRETARY STACY: Well, is it possible to  
19 make it a little more everyday language to make it  
20 more user friendly?

21 MS. LAND: Uh-huh.

22 SECRETARY STACY: Because I don't want this  
23 to intimidate someone in trying to stumble over  
24 something so formally written.

1 MS. LAND: Okay. I think this probably was  
2 lifted straight out of statute which is why it's kind  
3 of stilted.

4 SECRETARY STACY: That may be. Maybe I'm  
5 speaking out of -- I don't know how other people feel.

6 CHAIRPERSON TIMMERMAN: I mean, I don't  
7 disagree. I think it would be great if the document  
8 reads easily. If it's pulled right out of statute and  
9 that is the legal to get the whole thing going, maybe.

10 SECRETARY STACY: So we would have to  
11 create -- write it -- rewrite it ourselves, if we  
12 want --

13 MS. LAND: Yeah. You'd have to tweak it  
14 around yourselves. You still have to have the same  
15 general concepts in there.

16 SECRETARY STACY: Sure.

17 MS. LAND: But you could -- I mean, we can't  
18 change the scope of what is permitted.

19 SECRETARY STACY: Right. Right.

20 MS. LAND: But we can absolutely work on  
21 the -- I don't have anybody else's --

22 MS. PARGEON: Here on Article I, short  
23 title, Construction, Language, and Definitions, it has  
24 the particular "shall" control the general.

1           No. 2. In case the different meaning or  
2 implications between the text of this Resolution and  
3 any caption or illustration, the text shall control.

4           No. 3. The word "shall" is always mandatory  
5 and not discriminatory.

6           CHAIRPERSON TIMMERMAN: Are you just, like,  
7 breaking down how to read it basically?

8           MS. PARGEON: Yeah.

9           CHAIRPERSON TIMMERMAN: Is that what  
10 you're --

11          MS. PARGEON: Yeah. That's what this is  
12 about. The word "may" is permitted -- is permissive.

13          A building or structure includes any part  
14 thereof. The word "person" includes an individual, a  
15 corporation, a partnership, and incorporated  
16 association, or any other similar entity.

17          CHAIRPERSON TIMMERMAN: All right. Do we  
18 want to try -- I mean, I get that that breaks it down.  
19 Do we want to try to change it or do we want to --

20          MS. LAND: Some of that is legalese --

21          CHAIRPERSON TIMMERMAN: Right.

22          MS. LAND: -- that is kind of necessary when  
23 people start nitpicking about whether they must or can  
24 or should. So some of that stuff has to stay that

1 way, especially that stuff that she just read  
2 regarding the "shall," and things like that.

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MS. PARGEON: Unless the context clearly  
5 indicates to the contrary where a regulation involves  
6 two or more items, conditions, provisions, or events  
7 connected by the conjunction and/or, either/or, the  
8 conjunction shall be interpreted as follows:

9 A. 'And' indicates all connected items,  
10 conditions, provisions, or events shall apply.

11 B. 'Or' indicates that the connected items,  
12 conditions, provisions, or events may apply singularly  
13 or in any combination.

14 C. 'Either/or' indicates that the connected  
15 items, conditions, provisions, or events shall apply  
16 singularly, but not in combination.

17 And 7. Terms not herein defined shall have  
18 the meaning customarily assigned to them.

19 MS. LAND: . And that -- all that language  
20 you can leave it in there, or you can remove it. It's  
21 statutory issues that, if somebody starts arguing  
22 about it, and it's not in there, then we may have to  
23 litigate the issue of what -- legally how they are  
24 interpreted.

1           This is the stuff we learn in Law School  
2 101. You know, those kind of certain words mean  
3 certain things. Putting them in there kind of shuts  
4 down the nitpicking. But you don't have to have them  
5 in there.

6           SECRETARY STACY: I understand that. I  
7 don't want to alter the meaning of what's being  
8 communicated there. And, obviously, if you can keep  
9 it as is, then you're safe on that respect.

10           MS. LAND: Well, the Construction, Language,  
11 and Definitions, we could take construction of  
12 language out of here, which is the part that Clara  
13 just read, and move it to the back, at the end. And  
14 when we go to the wrapping up part, so then it's --

15           MS. PARGEON: Good idea.

16           MS. LAND: -- sort of an instructive clause  
17 at the end. It doesn't really have that much to do  
18 with what the meat of what the Resolution is.

19           The part we leave Definitions here in  
20 Article I. It's Article II -- In Article II. My PDF  
21 converted it to Word and it scrambled my formatting so  
22 badly that I can't -- I have to check back on paper  
23 here.

24           But if we're going to make changes, I want

1 to pop them in here so it's easier for my secretary to  
2 be able to get it fixed up nicely, she'll otherwise  
3 probably clobber me when I hand her a bunch of pages.

4 SECRETARY STACY: We're only talking about  
5 that one page.

6 MS. PARGEON: Yes.

7 SECRETARY STACY: Page 2.

8 MS. PARGEON: Yes.

9 MS. LAND: Yeah. I think what we're talking  
10 about is construction of language.

11 MS. PARGEON: Right.

12 MR. EVANS: Just Article II.

13 SECRETARY STACY: Article II.

14 MS. LAND: Not all of Article II.

15 MR. EVANS: Right. Section 200.

16 MS. LAND: Yeah. So we will do Article II.  
17 Section 200, yeah, will go to the back.

18 So Article II will just be Definitions.  
19 And, then, when you get down to Definitions, which is  
20 currently Section 201, we'll probably just have to  
21 rename that to 200.

22 CHAIRPERSON TIMMERMAN: Uh-huh.

23 MS. LAND: So we'll get that cleaned up.

24 And then the Definitions are the big things

1 that I want you to start plugging through tonight to  
2 figure out if there's anything in there that you have  
3 questions about or want to have changed.

4 CHAIRPERSON TIMMERMAN: So are we just --  
5 we're going to accept the Title and the Preamble?

6 MS. LAND: Well, we can go back to there.

7 CHAIRPERSON TIMMERMAN: Because -- no.  
8 I'm okay with that. I mean, if it's --

9 MS. LAND: Do you want me to fiddle with it  
10 before I come back the next time and have maybe some  
11 options for something that's a little more  
12 reader-friendly?

13 CHAIRPERSON TIMMERMAN: Sure.

14 MS. LAND: I think we could spend the rest  
15 of the meeting trying to sort that out. I could  
16 probably --

17 SECRETARY STACY: Right. I don't want to  
18 take the time and use the time --

19 MS. LAND: For something else.

20 I can probably read it to my husband some  
21 evening and he'll help me out.

22 CHAIRPERSON TIMMERMAN: Lucky guy.

23 SECRETARY STACY: That sounds exciting.

24 MS. LAND: We're both attorneys. You ought

1 to hear the really exciting stuff we talk about.

2 CHAIRPERSON TIMMERMAN: Does anybody like  
3 reading to read through? I assume it works best if we  
4 read them out loud and then anybody --

5 MS. LAND: You can probably just take turns  
6 reading through them, if you want.

7 Accessory Uses or Accessory is a big thing  
8 to pay attention to. It's one of the issues where you  
9 end up with more controversy than you would think.  
10 When you think accessory building, you think barn,  
11 garage, shed.

12 Well, people also want to put people living  
13 in those things. They want to have grooms quarters  
14 inside barns. So we've got to be careful about how we  
15 identify Accessory Use and what's limited -- what it's  
16 limited to.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. PARGEON: An accessory -- Can I go ahead  
19 and read this?

20 CHAIRPERSON TIMMERMAN: Sure.

21 MS. PARGEON: An accessory use includes, but  
22 is not limited to the following:

23 Residential accommodations for servants  
24 and/or caretakers.



1           No. 2. Swimming pools, tennis courts, or  
2 recreational facilities for the use of the occupants  
3 of the residence or their guests.

4           No. 3. Domestic or agricultural storage in  
5 a barn, shed, toolroom, or similar accessory building  
6 or other structure.

7           4. Storage of merchandise normally carried  
8 in stock in connection with a business or industrial  
9 use, unless storage is excluded in the applicable  
10 district regulations.

11          5. Storage of goods used in or produced by  
12 industrial uses or related activities, unless such  
13 storage is excluded in the applicable district  
14 regulations.

15          6. Accessory off-street parking spaces,  
16 open or enclosed.

17          7. Uses clearly incidental to a main use,  
18 such as, but not limited to, offices of an industrial  
19 or commercial complex located on the site of a  
20 commercial or industrial complex.

21          No. 8. Accessory or off-street loading.

22          9. Accessory signs subject to the sign  
23 regulations for the district in which the zoning lot  
24 is located.

1 MS. LAND: And, then, the part above that is  
2 Important Accessory Use or Accessory. It's a use  
3 which is clearly incidental to, customarily found in  
4 connection with, and except in the case of accessory  
5 off-street parking spaces or loading located on the  
6 same lot as the principal use to which it is related.

7 When "accessory" is used in this text, it  
8 shall have the same meaning as "accessory use." So if  
9 you say "accessory" it's the same.

10 The thing about what that's saying here is  
11 that it has to all be on the same lot. You can't have  
12 an accessory use that goes onto another lot the way  
13 this is currently written. If you want to have an  
14 accessory use that's on another lot, that would be  
15 something that you contemplate; it's just not in there  
16 now.

17 CHAIRPERSON TIMMERMAN: I was going through  
18 Washington Township's and they have accessory,  
19 battery/energy storage facility, accessory solar  
20 energy system. They don't have wind, but it would go  
21 in those same areas.

22 Are we smarter to have that listed as  
23 accessory, or are we smarter to put it just more  
24 generalized and make it a use, period, rather than

1 just accessory? Does that make sense what I'm asking?

2 MS. LAND: I think when you get to any --  
3 the code section, as we're going through here, it gets  
4 to where it's regulating wind, solar, and other energy  
5 producers of whatever kind they may be. With the  
6 river, there could be other ones that come up.

7 CHAIRPERSON TIMMERMAN: Sure.

8 MS. LAND: But I would put that in there and  
9 discuss those accessory uses under each particular  
10 section. But this identifies -- this is more general  
11 of what --

12 CHAIRPERSON TIMMERMAN: Definition.

13 MS. LAND: -- would fall into those  
14 categories under each section.

15 MS. PARGEON: Here, for alterations as  
16 applied to a building or structure, a change or  
17 rearrangement --

18 MS. LAND: Wait a second.

19 CHAIRPERSON TIMMERMAN: That's the next  
20 definition.

21 MS. PARGEON: Oh, sorry.

22 MS. LAND: We haven't gotten through all of  
23 this one yet.

24 MS. PARGEON: Sorry.

1 MS. LAND: So is there anything on here that  
2 you find -- like No. 2. You know, accessory uses or  
3 pools, tennis courts, but that would include  
4 recreational facilities. There's people who put  
5 go-cart tracks on their parcels and call them an  
6 accessory use. Do you want to allow that or not? Do  
7 you want to limit the kind of accessory uses that  
8 would be permitted?

9 Instead of -- yeah. I don't know. Is there  
10 anything that you have issues with?

11 CHAIRPERSON TIMMERMAN: I mean, it does say  
12 "accessory use includes, but is not limited to."

13 MS. LAND: Right.

14 CHAIRPERSON TIMMERMAN: What's the --  
15 clearly a gray area. If you -- I guess probably  
16 better to clearly define specific things if you want  
17 to --

18 MS. LAND: You may want to make those  
19 definitions when you get into residential districts  
20 that, you know, these are accessory uses that are not  
21 permitted, you know, or accessory uses that are  
22 permitted and make a more comprehensive list then.

23 If there's anything that you clearly want to  
24 exclude, you should put it in, because, often, the

1 list has to say, "including but not limited to,"  
2 because you have no idea what somebody might come up  
3 with. They might want a huge jungle gym that looks  
4 like a fort. I mean, does anybody care as long as it  
5 fits the setbacks and everything.

6 SECRETARY STACY: Right.

7 MS. LAND: But if you don't want somebody  
8 having the mobiles put in to be able to jump the  
9 four-wheelers, and you want don't somebody to have a  
10 dirt bike track, or something like that in a  
11 residential area, you may want to identify that later.

12 MS. PARGEON: Or a shooting range.

13 MS. LAND: Shooting ranges are another  
14 thing. Paintball --

15 MS. PARGEON: Yeah, paintball.

16 MS. LAND: -- fields. That's a biggie. You  
17 really don't want your neighbors having a paintball  
18 court.

19 MR. EVANS: Would that have more to do with  
20 the zoning or would that --

21 MS. LAND: It's an accessory use. Now, not  
22 just playing paintball in your yard. You can't stop  
23 that. But if they set up a paintball --

24 MS. PARGEON: Business.

1 MS. LAND: Not even a business. But like  
2 they set up a pretty elaborate -- I don't know.

3 CHAIRPERSON TIMMERMAN: Courses.

4 MS. LAND: Courses. Yeah. To be able to  
5 run through. That's something that they would have  
6 to -- you might want to be able to regulate that.

7 Skate parks, skate ramps, that's another one.

8 We've had a couple of people want to put  
9 great big, old skate ramps in their backyards.  
10 Neighbors didn't approve because it ended up with  
11 30 kids hanging out over there and making lot of noise  
12 and speaking in a way that wants you to get out a bar  
13 of soap.

14 SECRETARY STACY: Would density in a  
15 residential area come into play for something like  
16 that? For example, if a house were isolated by itself  
17 versus being part of a subdivision?

18 MS. LAND: And you can make a difference.  
19 You can identify different types of residential areas,  
20 and, then, you can have different things permitted in  
21 different kinds of residential areas. Residential  
22 areas, you could say R-1 is subdivisions with lots of  
23 this size or smaller. And, then, the R-2 is lots of  
24 this size or bigger, you know. That way -- and you

1 can permit things on bigger lots than you could in  
2 smaller lots. It's just something to keep thinking  
3 about.

4 MR. EVANS: I can see where it kind of gets  
5 tough where, if somebody's got 20 acres and they say  
6 I wouldn't mind on the back of the property having a  
7 dirt bike. It's, like, each case is a little bit  
8 different than the next.

9 MS. LAND: That's the hook with zoning; it's  
10 very difficult, because you do end up with all rules  
11 that apply to everybody the same way, regardless of  
12 what -- you come along and say, Yeah, but my situation  
13 is different. Might be, but the rule is this, and  
14 that's the challenge.

15 SECRETARY STACY: It wouldn't make sense,  
16 like, over here, in the subdivision for someone to  
17 put -- because the houses are so close and it would  
18 infringe.

19 MR. EVANS: And I don't know if that has to  
20 do with a setback. Let's say somebody says, I want to  
21 put up a dirt bike. It's got to be 350 feet away.  
22 It's still going to be noisy and dusty and that kind  
23 of stuff. But it's, like, since we are in the country  
24 you think, what --

1 CHAIRPERSON TIMMERMAN: But not everybody is  
2 in the country.

3 MS. PARGEON: Not anymore with the housing  
4 developments.

5 CHAIRPERSON TIMMERMAN: Well, I mean, this  
6 neighborhood back here, it's a neighborhood, and  
7 that's part of the unincorporated part, correct me if  
8 I'm wrong.

9 MS. LAND: Which will be an issue in a  
10 little while. Yeah. Because, apparently, the village  
11 has extended extra territorial jurisdictions out there  
12 and already put their village zoning on them, which  
13 they have no authority to do.

14 CHAIRPERSON TIMMERMAN: But, at any rate,  
15 we're not all out on the country. Some people, at  
16 this time -- Hillcrest is still part of --

17 MS. LAND: Uh-huh.

18 MR. EVANS: I could see somebody with  
19 20 acres, okay, seems like they should have more  
20 leniency. I mean, I paintball on 99 with some guys  
21 back in the woods and nobody knew what we were doing.  
22 There were a dozen of us.

23 MS. LAND: If you're just playing in the  
24 woods, that's different because you're not setting up



1 a course.

2 MR. EVANS: Right. And doing all the ugly  
3 things that they do. When we left, no one knew we  
4 were there.

5 MS. LAND: Except for the splotches on the  
6 trees, right?

7 CHAIRPERSON TIMMERMAN: Almost sounds like  
8 this is something we should cover maybe more in the  
9 individual sections.

10 MS. LAND: When you get into those sections,  
11 yes.

12 But I want you to, while you're going  
13 through the definitions, pull out the stuff that you  
14 need to be thinking about. With these kinds of  
15 things, when you look at these definition, and if you  
16 think something needs to be changed on the  
17 definitions, to be able to accommodate those things,  
18 because we can always keep going back and working on  
19 these. But this is -- the definitions are sort of the  
20 first touch on everything. So as long as nobody has  
21 any --

22 MR. EVANS: You mentioned three or four  
23 things. I'm sorry to interrupt you. You mentioned  
24 three or four things. I suppose there's 100 more

1 things we haven't even --

2 MS. PARGEON: Yeah, there's a lot of things.

3 MS. LAND: It gets difficult. Yeah.

4 MR. EVANS: It's, like, you want to do kind  
5 of the will of the people. If somebody says, I bought  
6 50 acres so I could to do this. Or 20 acres and  
7 10 acres, or maybe even only 5. But it's, like, we  
8 don't want to be a nuisance with it.

9 SECRETARY STACY: Exactly.

10 MS. PARGEON: You have to look at building  
11 regulations and everything and how high and how far  
12 things have to be away from the property line.

13 MR. EVANS: So there are two sides of the  
14 story. This guy says, I bought 10 acres so I can do  
15 this.

16 MS. PARGEON: Sorry.

17 MS. LAND: Then he may be able to do it,  
18 just not on the edge of the property where it's going  
19 to affect the neighbor. That's where zoning comes in  
20 to be able to tell him, Yeah, you can do this, but  
21 you've got to make sure you're this far back from all  
22 of the other people.

23 You really can't have just one type of  
24 residential because there's too many different types

1 of residential. There's the guy with 5 acres, or  
2 20 acres, or, you know, a house that's 30 feet from  
3 his, and those have different kinds of regulations  
4 that you'll -- so we'll have different districts.

5 CHAIRPERSON TIMMERMAN: No. 9, it says,  
6 "Accessory Signs." What is the definition? Like, is  
7 that -- are you going to have billboards at that  
8 point?

9 MS. LAND: No. It would be like --

10 CHAIRPERSON TIMMERMAN: Like a business  
11 sign?

12 MS. LAND: -- a business sign in front of  
13 your house that's permanent would be an accessory  
14 sign. There's going to be a sign section.

15 CHAIRPERSON TIMMERMAN: Right.

16 MS. LAND: Each of the -- I think each of  
17 the business and industrial have some rules about  
18 types of signs. That's always kind of a sticky  
19 business, because when you have, you know, like Sheetz  
20 coming in, they have a particular kind of sign they  
21 always use, and they want to -- but, you know, if you  
22 have a regulation that says it can only be so high,  
23 they can use that sign, they just have to make it  
24 lower. That kind of thing.

1 MR. EVANS: I like what you see in parts of  
2 Columbus. There are Sheetz that are probably there,  
3 but the signs are down low. They're not --

4 MS. LAND: Delaware is that way when you  
5 drive through. Everything is at eye level.

6 MR. EVANS: It doesn't look so --

7 MS. PARGEON: Gaudy.

8 MR. EVANS: -- up to the sky. Yes.

9 MS. LAND: That's a good word.

10 But those are things that you look at and  
11 determine when you get to each of the sections.

12 CHAIRPERSON TIMMERMAN: We good to move on  
13 then to Alterations?

14 MS. LAND: Uh-huh.

15 CHAIRPERSON TIMMERMAN: Clara, do want to  
16 read that one, too?

17 MS. PARGEON: Alterations as applied to a  
18 building or structure, a change or arrangement in the  
19 structural parts, whether by enlargement or by  
20 increasing height, or the moving of a building or  
21 structure from one location to another.

22 CHAIRPERSON TIMMERMAN: Seems pretty --

23 MS. PARGEON: Well, if you've got a big  
24 building and you want to put it to the edge of your

1 property from where it's at, is it going to block the  
2 view of -- overshadow the neighbors?

3 MS. LAND: Do you want to have it apply to  
4 height as well as footprint, or do you want it only to  
5 be considered an alteration when it has to do with the  
6 footprint? That's kind of an issue.

7 CHAIRPERSON TIMMERMAN: Alteration, I think  
8 it would include height.

9 MR. EVANS: This is all zoning, right,  
10 business.

11 CHAIRPERSON TIMMERMAN: Is it just a generic  
12 definition at this point?

13 MS. LAND: Okay.

14 Artificial Pond or Lake. Let's just skip  
15 that. I have a new one for you to be able to look at.

16 I think you will end up taking out lake  
17 completely because you really don't want a lake  
18 because they aren't built easily, and they are  
19 something you just don't to want to have to control.

20 Ponds, though, and I am bringing this up  
21 because of the problems that Washington Township is  
22 having. They have Sunny Farms Landfill is trying to  
23 put in a 96-acre, 30-foot-deep pond. That's not a  
24 bond; that's a borrow pit. That's a -- yeah.

1           But, according to their -- they have this  
2 exact same language, and they're trying to use that to  
3 say, It fits your definition. So, now, we're fighting  
4 with them that it's not a pond, it's actually a borrow  
5 pit. We're going to be in litigation over it.

6           I want to be able to -- they are in the  
7 process of changing their zoning to identify it more  
8 easily. And what they have put together is pretty  
9 good, so we will add that in there, a definition of  
10 pond and a definition of borrow pit.

11           CHAIRPERSON TIMMERMAN: Does that include  
12 retention and retention ponds, too?

13           MS. LAND: Yes.

14           CHAIRPERSON TIMMERMAN: Okay.

15           MR. EVANS: How do you spell "borrow pit"?  
16 Is it B-O-R-R-O-W?

17           MS. LAND: Yeah, I think it is. I've seen  
18 it with A-R-R-O-W and O-R-R-O-W. It depends. The  
19 ones we got from Louisiana -- I was looking up some  
20 definitions or some things about how to change a  
21 borrow pit to a pond, and they always spelled it with  
22 an "A" there, so I don't know if it's the language  
23 there.

24           MS. PARGEON: Probably is. Borrow something

1 from somebody or go to the bank and borrow money,  
2 B-O-R-R-O-W.

3 Going to Automobile Repair.

4 Automobile Repair. The general repair,  
5 rebuilding, or reconditioning of motor vehicles,  
6 engine rebuilding, collision service, such as body,  
7 frame, or fender straightening and repair, overall  
8 painting and undercoating of automobiles.

9 MS. LAND: Is there any other automobile  
10 repair thing that could be included in an automobile  
11 repair shop?

12 SECRETARY STACY: You mean an additional  
13 service?

14 MS. LAND: Uh-huh.

15 MS. PARGEON: They sell gasoline.

16 MS. LAND: Because if we have these things  
17 on here and somebody comes in, We aren't doing those  
18 things; we're doing x, Y, and Z, and, then, we're,  
19 like, hum. I don't know what else they could do.

20 CHAIRPERSON TIMMERMAN: General repair is  
21 just mechanical stuff, is the way I look at it.  
22 Rebuilding or reconditioning of motors, that's kind of  
23 still general repair, engine rebuilding, collision  
24 service.

1 MS. LAND: Would that include detailing  
2 shops? Would that include --

3 MS. PARGEON: Yeah.

4 MS. LAND: -- like interior detailing or  
5 exterior detailing? Conversions?

6 A lot of people are having their vehicles  
7 have gun safes and things put in them, which you have  
8 to do in an aftermarket kind of place.

9 CHAIRPERSON TIMMERMAN: I mean, I think  
10 adding all of that verbiage is not --

11 MS. LAND: I wouldn't add all of that. But  
12 I would say conversions or alterations, something like  
13 that.

14 CHAIRPERSON TIMMERMAN: And then the detail  
15 stuff. Detailing.

16 MR. EVANS: Is that the reconditioning where  
17 it says --

18 SECRETARY STACY: Define detailing.

19 MR. EVANS: Like, when you go in to get it  
20 washed and waxed.

21 SECRETARY STACY: Yeah. Getting it cleaned  
22 up.

23 MR. EVANS: So I'm wondering if that's under  
24 the reconditioning of motor vehicles. Might be; might



1 not be.

2 MS. LAND: Could be. We could find that  
3 under there and not have to add it in there.

4 MS. PARGEON: Well, you don't want the place  
5 to turn into a big junkyard.

6 SECRETARY STACY: This sounds like a  
7 business to me.

8 MS. PARGEON: Yeah.

9 MS. LAND: Oh, it would be.

10 MS. PARGEON: That's what should be a  
11 business.

12 MS. LAND: These will definitely be  
13 something that will only be permitted when you get  
14 down into the business and industrial areas.

15 But when they come in and say it's an  
16 automobile repair, then we can look here and say, If  
17 you're doing any of these things, then, yeah, it is  
18 permitted under these sections. But so we have to --  
19 we're just trying to go out there and rake in as many  
20 things as we think could be coming along. We may  
21 never have some of these things.

22 I think they're trying to draw a distinction  
23 between repair shops and body shops and a service  
24 station.

1 CHAIRPERSON TIMMERMAN: Is service station  
2 just kind of your oil-change place; is that what --

3 MS. LAND: Uh-huh.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: And gas.

6 CHAIRPERSON TIMMERMAN: Sure.

7 MS. PARGEON: Not a chop shop.

8 MS. LAND: Not a chop shop.

9 We can look at what they have in some of the  
10 other townships to see if they have anything vastly  
11 different, but I think those are pretty common, what's  
12 on there.

13 I mean, Amanda Township has generally the  
14 same for automobile repair. Automobile service  
15 station is a little different. It's a little more  
16 streamlined, a place for the dispensing, sale or  
17 offering for sale of motor fuels directly to users of  
18 motor vehicles, together with the sale of minor  
19 accessories and services for motor vehicles, but not  
20 including major automobile repair. Automobile repair  
21 or major automobile repair.

22 MS. PARGEON: That makes sense.

23 MS. LAND: I like the fact that the one you  
24 have also includes lubrication of automobiles,

1 replacement, installation of minor parts. So if you  
2 go and get your -- it could be a place like a quickie  
3 oil change kind of place would be listed under Service  
4 Station versus Repair Shop.

5 CHAIRPERSON TIMMERMAN: Sure.

6 MS. LAND: So yours is a little more  
7 comprehensive.

8 MR. EVANS: The only thing they don't say is  
9 anything about gasoline.

10 MS. LAND: It doesn't, does it?

11 MR. EVANS: No. And I always thought that  
12 was associated with a service station.

13 MS. LAND: Uh-huh.

14 MR. EVANS: Fuel.

15 MS. LAND: Add fuel.

16 MR. EVANS: I don't know whether, in this  
17 day and age, do you need to put something in there  
18 about charging stations because is that covered  
19 anywhere else?

20 MS. LAND: I'll add fuel and/or charging  
21 station.

22 CHAIRPERSON TIMMERMAN: Under Service  
23 Station.

24 MS. LAND: Under Service Station.

1 (Telephone interruption.)

2 CHAIRPERSON TIMMERMAN: Clara, is that you?

3 SECRETARY STACY: I think it's you.

4 CHAIRPERSON TIMMERMAN: The next one is the  
5 board is the Board of Zoning Appeals for Allen  
6 Township has to be there.

7 The next one, Boarding or Lodging House.

8 CHAIRPERSON TIMMERMAN: A building designed  
9 for or used as a single-family or two-family dwelling  
10 and containing guestrooms or lodging, with or without  
11 meals, provided on a daily, weekly, or monthly basis.

12 MS. LAND: That would be the bed and  
13 breakfasts, or people who just have a boarding house.  
14 I don't think that any of those exist anymore.

15 CHAIRPERSON TIMMERMAN: Would that include  
16 the Vrbo stuff? Is that all --

17 MR. EVANS: Airbnb.

18 MS. LAND: Yeah. Airbnb, we might have to  
19 find something completely different for that. I'll  
20 write -- I'll put a note in here to go looking for the  
21 Airbnb stuff, which is probably going to be covered  
22 with what we're talking about here.

23 You know, we kind of snicker and think, Oh,  
24 lodging. You know, boarding houses. But with the

1 problems that we're having now with so many people  
2 without lodging, it very well could start happening  
3 with people deciding to rent rooms. We want to make  
4 sure that -- because those kind of places often get  
5 seedy because, I mean, there are a few in Findlay that  
6 are -- I mean, there's no way they're going to clean  
7 them out. You don't really want that happening, so  
8 let's make sure that we include that kind of thing;  
9 Airbnb and boarding houses.

10 The definition of building is a huge one.  
11 You need to really talk about this and make sure that  
12 you're all square on what it is and that you're  
13 comfortable with it.

14 CHAIRPERSON TIMMERMAN: Any structure,  
15 either temporary or permanent, having a roof supported  
16 by columns or walls and intended for the shelter or  
17 enclosure of persons, animals, or property of any  
18 kind. For the purpose of this Resolution, a mobile  
19 home shall be considered a building.

20 MR. EVANS: That's not too vague.

21 MS. LAND: I think it misses a few things.

22 Does it need to be affixed to the ground, or  
23 can it be on skids? Do you consider a building  
24 something on skids, like those sheds?

1 MS. PARGEON: Like, a mobile home would have  
2 to be on a foundation of some kind.

3 MS. LAND: Well, mobile homes are on a  
4 foundation. They're on wheels, on axles, and blocks.

5 MS. PARGEON: Right.

6 (Telephone interruption.)

7 MS. PARGEON: Is that me again? I'm sorry.

8 CHAIRPERSON TIMMERMAN: So either temporary  
9 or permanent. I mean, it could be -- yeah. I mean,  
10 either temporary or permanent, does that kind of -- I  
11 guess it's a gray area, but does it kind of cover  
12 whether it's got a foundation or not?

13 MS. LAND: Uh-huh. I think it --

14 CHAIRPERSON TIMMERMAN: Pretty quickly, if  
15 it's temporary, it's probably not going to have a  
16 foundation. I don't disagree that maybe we should  
17 have a -- call out a foundation.

18 MS. LAND: So you would not consider a shed  
19 that's on skids a building?

20 MR. EVANS: Well, the only thing is is that  
21 we're doing this for the purpose of when you talk  
22 about setbacks and stuff, stating that you have to  
23 have a 20-foot setback from the line of all of your  
24 buildings, if it's --

1 MS. LAND: If you have a shed on skids, it  
2 doesn't need to be.

3 MR. EVANS: -- taking you up to the property  
4 line.

5 MS. LAND: If you don't have it listed as a  
6 building.

7 MR. EVANS: Right. So, then, it seems like  
8 it should be included for the purposes of using your  
9 setbacks and things.

10 MS. PARGEON: I mean, a portable building on  
11 skids.

12 MR. EVANS: Right. If we see somebody put a  
13 shipping container up against a property line, if the  
14 setbacks only talk about buildings, then it seems like  
15 the shipping container is not a building if you say  
16 that's temporary.

17 CHAIRPERSON TIMMERMAN: You need somebody to  
18 put a bunch of -- if you get people putting a bunch of  
19 shipping containers out there, you're going to get  
20 people complaining.

21 MR. EVANS: Right. That's why we have to do  
22 our job to make sure.

23 CHAIRPERSON TIMMERMAN: Right.

24 MS. PARGEON: Uh-huh. Because you don't

1 want a bunch of people stacking them up for a house  
2 and saying, Okay. We decided to make a two-story  
3 house out of shipping containers.

4 MR. EVANS: And, actually, that's getting to  
5 be popular.

6 MS. PARGEON: I know. That's the scary  
7 part.

8 MS. LAND: But if they put it on a  
9 foundation, you can't tell them No.

10 MS. PARGEON: That's right, if they're on a  
11 foundation. But if they're sitting there on skids and  
12 they let it get junky-looking and everything, yeah.  
13 Big difference.

14 MS. LAND: So you have to make that  
15 determination. This one says you don't have to have  
16 walls, it could have columns is considered a building,  
17 so that's a little more restrictive than some.

18 You know, and that kind of makes sense when  
19 you put up a shelter house kind of thing. You know,  
20 people do that, or gazebos. They aren't on a real  
21 foundation. They're probably -- a lot of them are on  
22 blocks.

23 VICE CHAIRPERSON REHUS: Probably skids.

24 MS. LAND: That's possible. So you've got



1 to decide if you want to have those considered to be  
2 buildings or not.

3 MS. PARGEON: Are they -- but do you  
4 consider them as a permanent structure?

5 MS. LAND: This is permanent or temporary.

6 MS. PARGEON: Okay.

7 CHAIRPERSON TIMMERMAN: Goes both ways.

8 MR. EVANS: I mean, I guess it depends on  
9 the whole rest of this, when the term "building" is  
10 used --

11 CHAIRPERSON TIMMERMAN: When they use it.

12 MR. EVANS: -- for when you're talking about  
13 setbacks. Your building must be at least 20 feet, or  
14 it seems like you have to talk about temporary or  
15 permanent.

16 MS. LAND: You can say whether attached  
17 permanently affixed to the ground or not, and that  
18 way, the building includes anything that's on skids or  
19 on blocks or moveable, especially since you currently  
20 have mobile homes shall be considered a building.  
21 Many of them don't abandon their -- don't take their  
22 axles and put themselves on -- it's just a skirting.  
23 It's still there and moveable.

24 Some do. They remove them and become

1 buildings. When they do that, the auditor starts  
2 taxing them as a building as opposed to a mobile home  
3 and they lose their title. They're no longer a mobile  
4 home because they are permanently affixed to the  
5 ground.

6 MS. PARGEON: That's what they do with  
7 manufactured homes. When you remove the axles and the  
8 wheels, is now considered a home. It's not a trailer.

9 MR. EVANS: A lot of times those are on  
10 foundations.

11 MS. PARGEON: Mine is on a foundation. I do  
12 have one.

13 MS. LAND: Manufactured homes, it depends on  
14 if they're a modular home or if they're, like,  
15 double-wide manufactured homes. There's kind of a  
16 difference. One never has an axle. The modular homes  
17 don't transport on an axle; they transport on a  
18 flatbed. They don't have axles, but they would always  
19 be considered a building.

20 The others, if it's still on its axles, then  
21 we -- under this, it's still considered a mobile home  
22 and you would consider it a building, and they'd have  
23 to adhere to setbacks. Like I said, it's up to you  
24 guys. You've got to make some decisions.

1 CHAIRPERSON TIMMERMAN: What's the downside  
2 of including whether it's affixed to the ground or  
3 not? I think including --

4 MS. LAND: In Marion Township, it includes  
5 both. It doesn't matter if it's affixed to the ground  
6 or not. It has to --

7 CHAIRPERSON TIMMERMAN: Do you foresee any  
8 negatives of including that language?

9 MS. LAND: People get a little ouchy  
10 sometimes if it's just a little shed on skids. It may  
11 be a little shed on skids to you, but to your  
12 neighbor, if it's right abutting up against their  
13 property line, it's something big and ugly.

14 So, you know, you're going to have pluses  
15 and minuses on whatever you choose and depending on  
16 whose ox is being gored.

17 CHAIRPERSON TIMMERMAN: Uh-huh.

18 MS. PARGEON: Keep it away from the property  
19 line.

20 MR. EVANS: It seems like that would be  
21 included in the definition when you talk about  
22 setbacks. Whether a temporary or permanent thing,  
23 they all have the same setbacks, if you allow the  
24 temporary. Which the temporary is -- you know, if you

1 go out to, like, TSC, those places all have those  
2 12 by 16 buildings, those are temporary.

3 CHAIRPERSON TIMMERMAN: Right.

4 MR. EVANS: They sit on blocks.

5 MS. LAND: We have one of those buildings  
6 there in front of Menard's. You know those buildings  
7 sitting there.

8 MR. EVANS: At The Grainery or wherever.

9 MS. LAND: They came and set it. It's on  
10 skids, but it's on a pad so it doesn't sink into the  
11 dirt.

12 MR. EVANS: It's temporary.

13 MS. LAND: It could be moved anywhere.

14 MR. EVANS: I mean, there's some bad  
15 temporary, and there's good temporary.

16 MS. LAND: In Marion Township, where I live,  
17 we had to get a permit to put that, and we had to have  
18 setbacks because it's temporary or permanent.

19 MS. PARGEON: It's best to have setbacks.

20 MR. EVANS: Oh, yeah.

21 MS. PARGEON: Because that way it could be  
22 mowed around.

23 CHAIRPERSON TIMMERMAN: It will require  
24 additional language later on.

1 MS. LAND: Well, I think it would just  
2 require the language here. Building is any structure,  
3 whether permanently -- whether or not permanently  
4 affixed to the ground. Whether or not on a  
5 foundation.

6 MR. EVANS: And, then, we deal with things  
7 in zoning or the --

8 MS. LAND: In the different districts.

9 MR. EVANS: -- setbacks.

10 VICE CHAIRPERSON REHUS: Like, it has to be  
11 so many feet from.

12 MS. LAND: You'll get that when you get into  
13 the different areas because some will have 20 feet,  
14 some will have 40 feet. You can have 10 feet. You  
15 guys can choose. But there are some standards that  
16 are general.

17 Usually, in industrial districts and in  
18 business, they are a little bigger than they are in  
19 residential. You know, 20 to 40 is about common, you  
20 know, residential.

21 I think Marion Township has maybe 10 side  
22 yard setback, 10 feet from the side, and 10 feet from  
23 the back.

24 MR. EVANS: That's pretty close.

1 MS. LAND: Yeah.

2 MR. EVANS: I mean, if it's a city-sized  
3 lot.

4 MS. LAND: Which is -- I live in a  
5 subdivision. So, yeah, I mean, if you want to have a  
6 descent-size house, you would have to get it as close  
7 to the edges.

8 So do you want to add temporary or permanent  
9 or only on foundations?

10 MS. PARGEON: Temporary or permanent.

11 CHAIRPERSON TIMMERMAN: It already says  
12 that, right? So you're saying whether we add --

13 MS. LAND: Whether or not it's affixed to  
14 the ground.

15 CHAIRPERSON TIMMERMAN: Affixed to the  
16 ground. I say add it, probably, for me.

17 Anybody else have a --

18 MS. PARGEON: Yeah.

19 CHAIRPERSON TIMMERMAN: That doesn't  
20 necessarily mean you have to get a permit for a  
21 gazebo.

22 MS. LAND: Yeah, you do.

23 CHAIRPERSON TIMMERMAN: At this point, you  
24 would have to get a permit for a gazebo?

1 MR. EVANS: That's not all bad. And I don't  
2 know how you use discretion when you're going to look  
3 at the things. You know what I'm saying? We've all  
4 driven around the county and seen where one guy has a  
5 nice shed and we've driven a mile away from that and  
6 seen where somebody found some plywood, looks like, on  
7 the side of the road and nailed it together and it's  
8 all leaning.

9 MS. LAND: And there's nothing you can do  
10 about the aesthetics.

11 MR. EVANS: Right. Just setbacks.

12 MS. LAND: They can use --

13 MR. EVANS: As long as it's set back.

14 MS. LAND: -- old junk to make a building  
15 and paint it purple with yellow dots, and it's  
16 allowed.

17 SECRETARY STACY: There's two sides to that.  
18 You could have someone say, You're taking my rights  
19 away from being able to do what I want to do on my  
20 property, versus --

21 MS. LAND: That's the whole point of zoning.

22 SECRETARY STACY: I understand that.

23 MS. LAND: So that's where is going to be  
24 the rub.

1           SECRETARY STACY: So you're going to -- not  
2 everyone is going to be happy. I don't know where I  
3 land. I don't know where I land. I'm just saying.

4           MR. EVANS: It's like we don't want to make  
5 this personal for us; it's for the good of the  
6 township.

7           SECRETARY STACY: The good of the township.

8           CHAIRPERSON TIMMERMAN: Initially, not  
9 realizing that it would be a permit for a gazebo, at  
10 some point, do you really need a permit for a gazebo.  
11 But, at the other point, do you want somebody to put  
12 up a temporary shed essentially on the property line?

13          MR. EVANS: That's where the setbacks, I  
14 suppose, come in.

15          MS. PARGEON: Yeah.

16          CHAIRPERSON TIMMERMAN: But if it's not a  
17 building --

18          MS. LAND: If it's not a building, the  
19 setbacks don't apply it to.

20          CHAIRPERSON TIMMERMAN: -- it doesn't apply  
21 to the setbacks.

22          MR. EVANS: Right. That's why I think you  
23 have to have the temporary because if somebody moves a  
24 shed on pallets, that's a building in this, right?



1 CHAIRPERSON TIMMERMAN: But it doesn't have  
2 a -- it's not affixed to the ground so it's not a  
3 building.

4 MS. LAND: It can be a temporary.

5 CHAIRPERSON TIMMERMAN: I don't know.

6 SECRETARY STACY: I don't want either.

7 MS. LAND: I think the either temporary or  
8 permanent was probably put in there as language to  
9 cover that, making sure it doesn't matter if it's on  
10 skids or if it's on a foundation.

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: I think it's too vague. I think  
13 it's confusing. So you need to make it very clear  
14 whether you want a structure -- it's a structure  
15 whether it's affixed to the ground or not. If it has  
16 a roof supported by columns or walls, blah, blah,  
17 blah, and take out the temporary or permanent.

18 MR. EVANS: So it's any structure having a  
19 roof.

20 MS. LAND: Any structure, whether or not  
21 it's affixed to the ground, having a roof supported by  
22 columns or walls. That's if you want it to be skids  
23 and/or not skids. You know, if you want everything,  
24 whether it's moveable or not, this is the language.

1 If you want only those that are on foundations, we  
2 need to alter that.

3 And that's why you guys get paid the big  
4 bucks. Oh, wait. You don't get paid at all.

5 (Laughter.)

6 MS. LAND: It's all for the adoration.  
7 There you go.

8 CHAIRPERSON TIMMERMAN: Double-edged sword.

9 VICE CHAIRPERSON REHUS: I think it should  
10 be affixed.

11 CHAIRPERSON TIMMERMAN: Affixed to the  
12 ground only? Is that what you're saying? For  
13 clarity, you're saying it should be only affixed?

14 VICE CHAIRPERSON REHUS: Yeah.

15 CHAIRPERSON TIMMERMAN: Yeah.

16 VICE CHAIRPERSON REHUS: If you throw skids  
17 on there, it's going to be sinking.

18 MS. PARGEON: They're going to rot and it's  
19 going to fall.

20 MS. LAND: They can still do that. They  
21 just won't have to have a permit to do it.

22 CHAIRPERSON TIMMERMAN: They won't be  
23 required to have a permit.

24 MR. EVANS: So you're if saying somebody

1 gets a shed from, like, The Grainery, or something  
2 like that, that can't go on their property.

3 CHAIRPERSON TIMMERMAN: It won't require --

4 MS. LAND: It won't require a permit. It  
5 can still go on the property.

6 MR. EVANS: Oh, I see.

7 MS. LAND: You won't be able to stop them,  
8 you just won't be regulating them.

9 MS. PARGEON: But how long will the building  
10 last? It might not last very long and it might  
11 disappear shortly.

12 CHAIRPERSON TIMMERMAN: It doesn't really  
13 matter in this context.

14 MS. PARGEON: It doesn't, no.

15 CHAIRPERSON TIMMERMAN: Well, they've got to  
16 get a permit is basically what this comes down to.

17 MR. EVANS: Right. Everybody should get a  
18 permit, right? I mean, if it's affixed, once you get  
19 a temporary one. When I say "temporary," one that  
20 sits on blocks. Is that what we are saying? What are  
21 we --

22 CHAIRPERSON TIMMERMAN: I'm trying to dumb  
23 it down to the simplest thing. And a gazebo, I'm  
24 trying to -- what's even simpler than a gazebo?

1 I don't know. But, I mean, it says any kind of roof,  
2 you know. So a breezeway? I don't know. Like, is a  
3 breezeway -- you know, just do you need a permit for  
4 all of that, is what this comes down to.

5 MS. LAND: One of the other things that you  
6 will need to keep in mind is there are portions of  
7 this where you get to the percentage of lot coverage  
8 that you'll permit, because you don't want somebody to  
9 have building on 99 percent of their lot. That turns  
10 out to be bad for everybody, you know.

11 MS. PARGEON: It shades their property and  
12 nothing grows and all that stuff.

13 MS. LAND: So if you have things like  
14 temporary buildings, or things on skids that don't  
15 require permits, then you start having some issues  
16 with lot coverage because they might have four sheds  
17 side by side that are on skids. Some of those  
18 buildings, like, from over at Menard's are garages.  
19 They're big enough to drive cars in. And if they're  
20 on skids, just on a pad of stone, yeah.

21 MR. EVANS: Seems like you could have a nice  
22 and a bad of each of those. Like, a nice garage you  
23 added or a nasty garage added. Most of it depends on  
24 whether it's affixed, I suppose.

1 CHAIRPERSON TIMMERMAN: I think she brings  
2 up a valid point. If you can -- my boss just got a  
3 two-car garage that was one of these. At some point,  
4 if they're putting up -- they are temporary; they're  
5 on skids. At some point it's more than just a little  
6 shed or a gazebo. I hate the fact that it's a permit  
7 for something like that.

8 MS. PARGEON: We've got to come to a  
9 conclusion on this.

10 CHAIRPERSON TIMMERMAN: Right.

11 MR. EVANS: I can see where you're talking  
12 about building, it's a little tough.

13 MS. PARGEON: Yeah.

14 SECRETARY STACY: I guess I would be  
15 interested in knowing maybe general sentiments of the  
16 people in the township on something like that.

17 MS. LAND: You will have hearings and you  
18 can alter the book at your hearing and make  
19 adjustments to it, and, then, make your recommendation  
20 based on the adjustments that you've made to the  
21 township trustees for them to consider.

22 So maybe leave this one sort of in your  
23 minds in Italics to be able to bring it up at the  
24 hearing and get some input, see what people say, if

1 you want to do that.

2 MR. EVANS: The purpose of reading this  
3 building definition is because every time it's  
4 referred to later, that's what --

5 MS. LAND: That is what it means. Yeah.  
6 That what we mean.

7 CHAIRPERSON TIMMERMAN: So are we going to  
8 move on from that? Do you want to leave it --  
9 currently you have it written up with affixed or not  
10 affixed?

11 MS. LAND: I don't want to leave temporary  
12 or permanent in there no matter which way you go.

13 SECRETARY STACY: Okay. We can strike that.

14 MS. LAND: Yeah. Then we'll end up  
15 adding -- either I add "whether or not it's affixed to  
16 the ground" or "affixed to the ground."

17 MS. PARGEON: Yeah. Okay.

18 MS. LAND: Affixed to the ground makes it  
19 more liberal because anything that's on skids, they  
20 don't have to get permits for, and it can be placed at  
21 the -- you know, at the needs of the landowner.

22 If it's "whether or not it's affixed," then  
23 there's a permit and they have to meet setbacks and do  
24 whatever, even if it's not going to be permanent.

1           So you guys can -- do you want to chew on  
2 that for a while and we can revisit it next time.

3           MS. PARGEON: Being a small building, a lot  
4 of them are just for temporary use for if they're  
5 storing stuff for something and it's not there very  
6 long. They don't last forever anyways.

7           MR. EVANS: But if it lasts for 20 years,  
8 maybe when you say that, you think how many people  
9 bring a building to store stuff --

10          MS. PARGEON: And they never move it.

11          MR. EVANS: -- and it sits there for three  
12 years.

13          MS. PARGEON: And it's still there.

14          MS. LAND: I think most people who build a  
15 building, whether it's a shed that's on skids or on a  
16 foundation, plan on it to be a pretty permanent thing.

17          CHAIRPERSON TIMMERMAN: Right. Yeah.

18          MR. EVANS: I mean, I like the "weather or  
19 not affixed to the ground," I don't know whether it's  
20 possible just to see how you guys feel about what she  
21 said about that, include that language, "whether or  
22 not affixed to the ground," as opposed to temporary or  
23 permanent. Do most of you like that?

24          CHAIRPERSON TIMMERMAN: I think, for the

1 moment, I like it.

2 SECRETARY STACY: Yeah.

3 MS. LAND: We'll put an asterisk beside it  
4 to make sure it's discussed at a hearing that you  
5 bring it up. Is that okay? That way you'll get an  
6 idea and you'll have to do probably some other more  
7 discussing at the hearing about what you want to do  
8 for your recommendation.

9 MS. PARGEON: It would depend on the size,  
10 be a limit of how big it could be?

11 MS. LAND: That could be.

12 MR. EVANS: Oh, okay.

13 MS. PARGEON: Be a two-car garage or a  
14 one-car.

15 CHAIRPERSON TIMMERMAN: Would it be that  
16 detailed or further back?

17 MS. LAND: Yes. You could say any  
18 structure, whether or not it's affixed to the ground,  
19 larger than "X."

20 MS. PARGEON: Yeah. Exactly.

21 MS. LAND: You can do that.

22 MR. EVANS: Are you saying that because you  
23 want to limit the size?

24 MS. LAND: A small shed could be moved



1 around.

2 MS. PARGEON: Yeah, a small shed.

3 MS. LAND: A larger would have to have a  
4 permit. So what's small?

5 MR. EVANS: Yeah. Right.

6 CHAIRPERSON TIMMERMAN: You can't just put  
7 "small"?

8 MS. LAND: Well, what I think is small and  
9 what somebody else thinks is small might not --

10 MR. EVANS: Right.

11 MS. LAND: I have an 8 by 10 and it seems  
12 pretty small.

13 CHAIRPERSON TIMMERMAN: Sure. Do we just  
14 want to put anything on that then? Does that make as  
15 much sense as anything?

16 MR. EVANS: What do you want to say?  
17 8 by 10, that's 80 square feet? Or 8 by 8.

18 CHAIRPERSON TIMMERMAN: Well, it's going to  
19 be anything bigger than this is going to require --

20 MS. PARGEON: A permit.

21 CHAIRPERSON TIMMERMAN: Is going to require  
22 a permit. 8 by 8, you might as well include  
23 everything at that point.

24 MS. LAND: Except the outhouses.

1 MS. PARGEON: Yeah. Yeah.

2 CHAIRPERSON TIMMERMAN: We finally have the  
3 simple -- it's not simple. Let's not go there.

4 MS. PARGEON: Yeah.

5 SECRETARY STACY: I could see where this  
6 could -- people would stand their ground having a  
7 problem. I mean, I understand what we're trying to  
8 say, and I totally understand that. But I could also  
9 see this as being people using this as ammunition to  
10 shoot down --

11 MR. EVANS: Zoning.

12 SECRETARY STACY: -- the whole thing.

13 MR. EVANS: That's where I think the  
14 setback --

15 SECRETARY STACY: Because -- you know,  
16 because I think we were hearing that people wanted  
17 to -- you go back to the same old argument. You know,  
18 No one should tell me what I can and can't do. I  
19 think when you start getting too specific and  
20 requiring permits, and what have you, I think you're  
21 wandering into that territory where it might be hard  
22 to do and die on that hill. I understand -- I  
23 understand the argument the other way, too. I'm just  
24 saying.

1 MR. EVANS: Maybe setbacks takes care of  
2 most of that, because, like you said, you can't govern  
3 what the shed looks like.

4 SECRETARY STACY: And things shouldn't be on  
5 a property line, right?

6 MS. LAND: You're not considering something  
7 that's on -- I keep saying on skids, but you know,  
8 it's on --

9 MR. EVANS: Blocks.

10 MS. LAND: Yeah. If you're not considering  
11 it a building, it won't be covered by any of those  
12 things, not by setbacks.

13 SECRETARY STACY: Okay.

14 MS. LAND: It will have the ability to be --

15 SECRETARY STACY: Okay. It needs to be a  
16 building to have setbacks?

17 MS. LAND: Yeah.

18 MR. EVANS: That's why I think it's good to  
19 have that language, "whether or not affixed to the  
20 ground," because that basically covers anything.

21 MS. LAND: As we're going through here, if  
22 we find someplace else where we can accomplish what  
23 you're concerned with, we can always go back and  
24 revisit this and change it to a building can only be

1 something affixed to the ground and find another place  
2 where it does help regulate what we're worrying about  
3 with things that are not affixed. It can be put  
4 anywhere. Make sense?

5 I'm not sure where that is yet because I  
6 haven't read this for a long time. It might -- as  
7 we're thinking on it, we'll probably go along, Oh,  
8 hey, why we don't we try this here and see what  
9 happens.

10 CHAIRPERSON TIMMERMAN: I'm with you, Deb.  
11 People are going to -- they're not going to like  
12 pulling permits for everything.

13 SECRETARY STACY: No.

14 MS. PARGEON: Because it costs. It costs a  
15 lot.

16 CHAIRPERSON TIMMERMAN: But if you don't do  
17 that at all, I mean --

18 SECRETARY STACY: It's a double-edged sword.

19 CHAIRPERSON TIMMERMAN: It is, completely.

20 MS. LAND: One of the other options is this  
21 is a living document and you can go ahead and make it  
22 only affixed, which is the more liberal. If you find  
23 that it really turns out to be a real problem and  
24 you're having issues, then you can revisit, perhaps,

1 amending some day to be able to narrow it down where  
2 you actually need it, instead of the wide sweep of  
3 everything. You may have a better idea of how you  
4 would need to limit it.

5 CHAIRPERSON TIMMERMAN: But the argument  
6 against that is, if you let it get to that point,  
7 they're grandfathered, you get to live with that  
8 point.

9 MS. LAND: Yeah. But it's one of those  
10 things that you'll have to be vigilant. Whenever you  
11 start zoning, that's the most important thing. You've  
12 got to kind of take a snapshot -- you must take a  
13 snapshot at the beginning to see what is there and  
14 what's already permitted. And, then, you've got to  
15 sort of see how things are progressing and what is  
16 flying, what isn't flying, what's causing problems.  
17 And, then, almost any zoning book needs to be amended  
18 within the first couple years because we're sitting  
19 around talking about all of these could be, could be,  
20 could be. And, then, real life comes in and we find  
21 out what it really is. You may need to do some  
22 amending to make it fit that.

23 I wouldn't get too hung up on something  
24 where we're worried about all of the could bes, and

1 let's just pick one. I think the consensus has been,  
2 with a lot of people, to go with the more liberal kind  
3 of book. If that's the case, then we'll just make the  
4 ones that are affixed and we'll see what happens.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. PARGEON: Okay.

7 MS. LAND: That work for you guys?

8 SECRETARY STACY: Yeah.

9 CHAIRPERSON TIMMERMAN: Sure.

10 MS. LAND: So I'll say, "Any structure  
11 permanently affixed to the ground, having a roof  
12 supported by columns or walls." And then the rest of  
13 it. That makes sense? That's the more liberal  
14 reading.

15 SECRETARY STACY: Okay.

16 CHAIRPERSON TIMMERMAN: Keeping on?

17 MS. LAND: Building Height.

18 CHAIRPERSON TIMMERMAN: Building Height.

19 The vertical distance measured from the  
20 established grade to the highest point of the roof  
21 surface for flat roofs, to the deck line of a Mansard  
22 roof, to the average height between eaves and ridge  
23 for gable, hip, and gambrel roofs, and two-thirds of  
24 the vertical distance between the eaves for the ridge

1 for A-frame roofs.

2 MS. LAND: Okay.

3 CHAIRPERSON TIMMERMAN: Where does that come  
4 from? Why is it that half distance?

5 MS. LAND: Because, actually, one of the  
6 other townships has these really nifty illustrations  
7 to show you what those things are.

8 CHAIRPERSON TIMMERMAN: So does ours.

9 MS. LAND: I would suggest that you put  
10 those in there. Oh, yours does?

11 MR. EVANS: Yeah.

12 MS. LAND: Yeah.

13 SECRETARY STACY: Is that basically so  
14 you're not obstructing your neighbor's view, or what?

15 MS. LAND: Or blocking light.

16 SECRETARY STACY: Blocking light.

17 MS. PARGEON: If they've got a garden and  
18 it's shaded, that's not good.

19 MS. LAND: Yeah. The height of things.  
20 You're not going to have many four-story buildings  
21 coming up here, residences, residential areas.  
22 However, when you're talking about industrial areas,  
23 you could end up with some pretty tall buildings.

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: Some of those -- like the  
2 distribution centers, those are pretty big, you know,  
3 when you get to them, and you have higher heights that  
4 are permitted in Industrial.

5 CHAIRPERSON TIMMERMAN: That's called out  
6 later. Right. This is just the definition of the  
7 height.

8 MS. LAND: Of where you measure from to get  
9 the heights.

10 MS. PARGEON: Right.

11 SECRETARY STACY: Gotcha. Okay.

12 MS. PARGEON: That definitely need to be.

13 CHAIRPERSON TIMMERMAN: Do you have any idea  
14 of why they go from these weird --

15 MS. LAND: Well, because it's useable area.  
16 You can't use clear up to the peak of an A-frame, and  
17 you can't -- so they are kind of picking from where --

18 CHAIRPERSON TIMMERMAN: The usable area.

19 MS. LAND: There are a lot of houses that  
20 have these great big, steep roofs and mostly it's  
21 one-story houses. That's where they would --

22 CHAIRPERSON TIMMERMAN: Okay. That's the  
23 exact same as what's in Washington Township's and  
24 apparently there's many of them.



1 MS. LAND: Yeah.

2 CHAIRPERSON TIMMERMAN: I think that's the  
3 standard definition.

4 MS. LAND: That came from Regional Planning  
5 years ago and it's kind of just stuck there.

6 MS. PARGEON: We'll leave it there.

7 CHAIRPERSON TIMMERMAN: Keep it, I guess.

8 Building Line. A line formed by the face of  
9 the building, and for the purpose of this Resolution,  
10 a minimum building line is the same as the front  
11 setback line.

12 Again, that's a standard definition.

13 MR. EVANS: I think there is a drawing of  
14 that too, isn't there, on the next page?

15 MS. LAND: Right.

16 CHAIRPERSON TIMMERMAN: That looks like it's  
17 the furthest forward point.

18 MS. LAND: Yeah. And if you have a house  
19 that's sitting diagonal on the lot, then it's the  
20 closest corner to that point.

21 CHAIRPERSON TIMMERMAN: Is there any reason  
22 to call that out saying specifically the closest  
23 point, or that's --

24 MS. LAND: No. I think that's pretty

1 standard.

2 CHAIRPERSON TIMMERMAN: Okay.

3 MS. LAND: Some of these things you look at  
4 and think these are just dumb that we have to define  
5 them, but we're only defining them because somebody's  
6 questioning them.

7 CHAIRPERSON TIMMERMAN: Right.

8 MS. LAND: The Commission is you guys.

9 Comprehensive Land Use Plan.

10 CHAIRPERSON TIMMERMAN: Comprehensive Land  
11 Use Plan of Allen Township, Hancock County, Ohio,  
12 including graphic and written proposals indicating the  
13 general location for streets, parks, schools, public  
14 buildings and all physical development of the  
15 township, and including any unit or part of such plan.

16 MS. LAND: The Comprehensive Land Use Plan  
17 will be a map that you guys have besides the zoning  
18 map. You'll have two. The Comprehensive Land Use  
19 Plan is more of a guide. So you can see -- and for  
20 the one that you guys are going to have, Regional  
21 Planning is putting it together and has current uses  
22 on it. So you'll be able to have -- you know, this is  
23 a snapshot of what we have now and what the current  
24 uses are. It's a tool.

1 MR. EVANS: That would be a good tool.

2 MS. LAND: It will be.

3 MR. EVANS: We'll have that soon in, like,  
4 weeks?

5 MS. LAND: Well, I thought they would be  
6 here tonight, but, apparently -- I don't know why they  
7 aren't here. I didn't call and remind anybody, so  
8 maybe they didn't get the memo.

9 Okay. Convalescent or Nursing Home.

10 CHAIRPERSON TIMMERMAN: A structure with  
11 sleeping rooms where persons are housed or lodged and  
12 are furnished with meals, nursing, and medical care.

13 Sounds pretty standard.

14 MS. LAND: Cold sounding, but, yeah. Housed  
15 or lodged.

16 MS. PARGEON: That's where you park them.

17 MS. LAND: Yeah. County, Hancock. You  
18 can't change that.

19 CHAIRPERSON TIMMERMAN: District. Portion  
20 of the incorporated area of Allen Township, within  
21 which certain regulations and requirements apply under  
22 the provision of this Resolution.

23 Again, I assume that's a standard.

24 MS. LAND: That's standard.

1 MS. PARGEON: Yeah.

2 CHAIRPERSON TIMMERMAN: Dwelling Unit. A  
3 building, portion of a building, designed for  
4 occupancy by one family for residential purposes, and  
5 having cooking facilities.

6 MS. LAND: That is -- the reason that it has  
7 "cooking facilities" in there is because you'd be  
8 surprised how many people have a bedroom and a  
9 bathroom in a shed in the backyard. And for the tiny  
10 house for the mother-in-law suite, or whatever, then  
11 you want to -- I mean, that's --

12 MS. PARGEON: Make it livable.

13 MS. LAND: Yeah. That's not considered a  
14 dwelling unit in your township according to this,  
15 unless you want it to be.

16 MS. PARGEON: No. No.

17 CHAIRPERSON TIMMERMAN: Keep going?

18 MS. LAND: Uh-huh.

19 CHAIRPERSON TIMMERMAN: One-family Dwelling.  
20 A building designed for and occupied exclusively by  
21 one family.

22 Two-family Dwelling. A building designed  
23 exclusively for occupancy by two families living  
24 independently of each other.

1 MS. LAND: That's important because you  
2 don't want two families living in one home. I don't  
3 care if you want it or not, that's not the point. You  
4 could want it. But this says that, for it to be a  
5 two-family, they have to be independent. So it has to  
6 be a duplex where they have separate units, as opposed  
7 to two families living in one house.

8 MS. PARGEON: Right.

9 MS. LAND: That's something that dwelling,  
10 the one-family unit is one family lives in there.

11 SECRETARY STACY: How do you define  
12 "family"?

13 MS. LAND: That will probably be defined  
14 down here later.

15 MR. EVANS: You see a lot of that these  
16 days.

17 MS. LAND: A family is down here in  
18 Definitions.

19 SECRETARY STACY: Okay.

20 MS. LAND: And you guys can deal with what  
21 that definition is.

22 SECRETARY STACY: Uh-huh.

23 CHAIRPERSON TIMMERMAN: So I assume you're  
24 saying to keep that definition as is for the

1 two-family?

2 MS. LAND: Uh-huh. And multi-family --

3 CHAIRPERSON TIMMERMAN: We're going to need  
4 that clarity later.Okay.

5 MS. LAND: -- is just for more units than  
6 two. And I would prefer that you keep those that way  
7 for now. If you decide that you want to change those.  
8 Once you get into the residential stuff, we can go  
9 back and revisit them. But there's good reason to  
10 have those defined that way to be able to keep your  
11 districts.

12 MS. PARGEON: Separate apartments.

13 MS. LAND: Okay. Erected. Built,  
14 constructed, altered, reconstructed, moved upon, or  
15 any physical operations on the premises which are  
16 required for construction. Excavation, fill, drainage  
17 and the like shall be considered part of that process.

18 Anything on there you don't like or want to  
19 change?

20 MS. PARGEON: No. That fits.

21 MR. EVANS: Maybe I should -- Go back to  
22 that dwelling unit. I see it has cooking facilities.  
23 Is it bad to have, like, where you say it has to also  
24 have running water and that sort of thing, because I'm

1 just saying, what's the definition of "cooking  
2 facilities"?

3 SECRETARY STACY: You can have a little  
4 stand and put a crock pot on there and that could be  
5 your cooking facilities.

6 MR. EVANS: I'm saying, okay, if it's got  
7 running water with a bathroom, how do you define that?  
8 I mean, just to make it so -- like you said, there's a  
9 shed out back that somebody is living in. Is that too  
10 much?

11 MS. LAND: I can look and see if we can find  
12 some definitions that add stuff like that.

13 MR. EVANS: It seems like it makes a big  
14 difference if there's running water.

15 SECRETARY STACY: Yeah. I can see -- yeah.  
16 Uh-huh.

17 MR. EVANS: If you have running water, at  
18 least you have a way -- sources for bathrooms and  
19 stuff.

20 SECRETARY STACY: Right.

21 MS. LAND: So would it have to be running  
22 water and sewer facilities?

23 MR. EVANS: Yeah.

24 MS. PARGEON: Yeah.

1 MR. EVANS: What do you guys think?

2 MS. PARGEON: Definitely.

3 SECRETARY STACY: If you're going to live in  
4 it, you'd want it to.

5 MS. PARGEON: You want to have a bathroom.

6 CHAIRPERSON TIMMERMAN: So to argue that  
7 point, if doesn't have running water, does it mean  
8 that nobody can live in it?

9 MR. EVANS: What I'm getting at is, say,  
10 somebody lives in a family lot -- you're saying that's  
11 designated for a single family. Oh, I see what you're  
12 saying. You're saying if they have a building out  
13 back, and there's no running water, can they live  
14 there.

15 MS. LAND: If there's a house with no  
16 running water or indoor plumbing.

17 MR. EVANS: I see what you're saying.

18 MS. LAND: There could be some of those.

19 CHAIRPERSON TIMMERMAN: I mean, what you're  
20 saying is it has to have running water to be --

21 MS. PARGEON: To have a bathroom.

22 MR. EVANS: To be a house.

23 CHAIRPERSON TIMMERMAN: -- to be considered  
24 a house?



1 MR. EVANS: Dwelling. Right.

2 MS. LAND: It doesn't have to have running  
3 water to have a bathroom. They can have --

4 CHAIRPERSON TIMMERMAN: Composting.

5 MS. LAND: -- composting.

6 SECRETARY STACY: That's true.

7 MR. EVANS: I guess maybe that shouldn't be  
8 put in there.

9 CHAIRPERSON TIMMERMAN: Right.

10 MR. EVANS: Right. I agree. It shouldn't  
11 have that in there.

12 MS. LAND: Should not have the running  
13 water?

14 MR. EVANS: I mean it should not have that  
15 put in there where running water because --

16 CHAIRPERSON TIMMERMAN: Then it won't fall  
17 under that.

18 MR. EVANS: Right.

19 CHAIRPERSON TIMMERMAN: I don't know if  
20 that's good or bad.

21 MR. EVANS: At first, I was thinking we want  
22 that building to have running water if somebody is  
23 living in there.

24 MS. LAND: But if you don't want people

1 living in there, and if that's your goal to not have  
2 people living in there, then you would want to add  
3 that it has to have sewer facilities, it has to have  
4 running water, and it has to have cooking facilities.

5 CHAIRPERSON TIMMERMAN: That would be added  
6 later, though.

7 MS. LAND: Well, that would have to be added  
8 under "dwelling unit."

9 CHAIRPERSON TIMMERMAN: We couldn't consider  
10 it a dwelling unit, it would have to have those  
11 things?

12 MS. LAND: Yes. So if they have a shed out  
13 back that they put a futon in and put a dresser in for  
14 the teenager to live in because they can't stand him,  
15 then they wouldn't be able to do that.

16 CHAIRPERSON TIMMERMAN: If it didn't have --

17 MS. LAND: Children's Services probably  
18 wouldn't be pleased either.

19 MR. EVANS: I thought it would be the  
20 opposite of that. If we said a dwelling has to have  
21 running water and sewage, then somebody -- you know,  
22 the kid's out back there in a futon, that's not  
23 actually a dwelling.

24 MS. LAND: And they can't be in there. If

1 they really want to have the kid out there living,  
2 they have to make sure that they have --

3 CHAIRPERSON TIMMERMAN: Your way would  
4 require that they would have plumbing, sewer,  
5 whatever?

6 MS. LAND: Yeah.

7 CHAIRPERSON TIMMERMAN: Maybe it is the --

8 MS. LAND: So that's the more restrictive  
9 version. If you want to go more liberal, you wouldn't  
10 have to have the running water and sanitary sewer  
11 facilities, just cooking facilities. So a futon and a  
12 hotplate.

13 SECRETARY STACY: You could have a cooler  
14 with your beverages.

15 MS. LAND: And the kid's got a mini fridge,  
16 right? Oh, electric.

17 MR. EVANS: Oh, yeah. Exactly.

18 SECRETARY STACY: Living off the grid.

19 MS. LAND: Big extension cord.

20 MR. EVANS: Maybe we better leave it alone.

21 CHAIRPERSON TIMMERMAN: That's a very broad  
22 definition right now.

23 MS. LAND: And broad is more liberal.

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. PARGEON: So leave it as is for now.

2 CHAIRPERSON TIMMERMAN: I think so.

3 Essential Services. Keep going?

4 MS. LAND: Uh-huh.

5 CHAIRPERSON TIMMERMAN: The erection,  
6 construction, alteration, or maintenance by public  
7 utilities, municipal, or other governmental agencies,  
8 of underground, surface, or overhead gas, electric,  
9 steam, fuel, or water transmission, or distribution  
10 systems, collections, communications, supply of  
11 disposal systems, including poles, wires, mains,  
12 drains, sewers, pipes, conduits, cables, fire alarm,  
13 and police call boxes, traffic signals, and hydrants  
14 and connection herewith, but not including buildings  
15 which are necessary for the furnishing and adequate  
16 service by such utilities or municipal departments for  
17 general health, safety, or welfare.

18 MS. LAND: Basically you're going to find  
19 out that essential services, you can't regulate them a  
20 lot. You know, if they want to put cable lines  
21 through, or if they want to -- AEP wants to change  
22 their lines, zoning doesn't have much control over it.

23 We're in the part of 519 where we're  
24 enacting zoning. There are sections of 519, the code

1 section, or that chapter, that deal with things that  
2 zoning can't regulate, and one of the things are  
3 utilities. This is just defining what we consider  
4 essential services.

5 MS. PARGEON: So that stays.

6 CHAIRPERSON TIMMERMAN: Is there any  
7 regulating, like, buried or above-ground? It seems  
8 like most stuff tends to be buried.

9 MS. LAND: No.

10 CHAIRPERSON TIMMERMAN: There's no control  
11 at all?

12 MS. LAND: Huh-uh. You have a slight bit of  
13 control over cell towers, where they are in  
14 conjunction to residential districts kind of thing.  
15 Not so much you can tell them no, but there are some  
16 notice and setback issues. And, then, there's a  
17 possibility under the more recent statutes for control  
18 of solar and wind. Which, you know, and there's that,  
19 are they utilities or not. They might produce  
20 utilities. They may not be utilities. It's a big  
21 question. But that statute specifically addresses  
22 that, so it takes that question out of the issue.  
23 We'll get to that as a section to drop in here later.

24 CHAIRPERSON TIMMERMAN: Anybody else want to

1 read?

2 SECRETARY STACY: Exception. A use  
3 permitted only after review of an application by the  
4 Board of Zoning Appeals or Zoning or Planning  
5 Commission or Township Trustees. A modification in  
6 the standards of this Resolution specifically  
7 permitted after review by the Board of Zoning Appeals,  
8 Zoning, or Planning Commission --

9 This seems redundant.

10 MS. LAND: It does.

11 SECRETARY STACY: -- Commission or Township  
12 Trustees.

13 After review being necessary because the  
14 provisions of this Resolution covering conditions  
15 precedent or subsequent are not precise enough to  
16 applications without interpretation and such review an  
17 exception is provided for by this Resolution, an  
18 exception is provided for by this Resolution. An  
19 exception is not a variance.

20 MS. LAND: Let's just go back and visit that  
21 later. I'm going to go do some checking on that and  
22 see if there's something we can do about it because,  
23 number one, it's pretty clunky.

24 SECRETARY STACY: It is clunky and it's

1 cumbersome.

2 MS. LAND: And I'm not sure that an  
3 exception is something that can still be in a Zoning  
4 Resolution. You know, there are variances, use, and  
5 area variances that are permitted.

6 Exception is basically saying somebody comes  
7 in and says, Your plan just doesn't work for me. Can  
8 I do it in my own way? That's bad. In that way lies  
9 danger. We don't want that kind of thing. I'll  
10 review that and see what I can come up with.

11 MS. PARGEON: It says an exception is not a  
12 variance. That's for sure.

13 MS. LAND: Yeah. Variances have certain  
14 rules that apply, where exceptions would not have  
15 rules applied to them which throws you very clearly  
16 into that possibility of doing something arbitrary, or  
17 something that they consider that anybody -- you know,  
18 it may be okay for you. But they may want to assume  
19 because that's not fair that he gets to do that and  
20 the rest of us don't. We don't want that. That's not  
21 something that's comforting.

22 I'll check and see if we're even allowed to  
23 still do that. I kind of remember some case law in  
24 the last ten years or so that said those were pretty

1 much extinct.

2 Exit Ramps.

3 SECRETARY STACY: A roadway connecting a  
4 limited access highway with a feeder road and used for  
5 access from such limited access highway to a feeder  
6 road.

7 MS. LAND: Okay. That's pretty  
8 straightforward.

9 CHAIRPERSON TIMMERMAN: Is there a  
10 definition that follows that with leader -- or with a  
11 feeder road and limited access?

12 MS. LAND: Those are things that are in the  
13 County Subdivision or the Access Management  
14 Regulations. That's where those are defined. Since  
15 they're defined at the county level, we can't define  
16 them at a township level. They have to be the  
17 county's. We can't change something the State says,  
18 and the County can't change the State. Townships  
19 can't change the County.

20 MS. PARGEON: Family. One or two persons or  
21 parents with their direct descendants, and adopted  
22 or foster children, including any domestic employees,  
23 together with not more than three persons not so  
24 related living together in the whole or part of a



1 dwelling comprising of a single housekeeping unit.

2 That's what a family is.

3 MS. LAND: That's pretty liberal.

4 MS. PARGEON: Yeah.

5 Farm. The carrying on of any agricultural  
6 activity or the raising of livestock as a source of  
7 income.

8 MS. LAND: I don't know that we're allowed  
9 to add "as a source of income." There is a definition  
10 of -- well, you could. Under Farm, you can leave that  
11 in.

12 MS. PARGEON: Yeah.

13 MS. LAND: Agricultural, you cannot add in  
14 that it has to be money-making to be agricultural.

15 MS. PARGEON: You never know.

16 MR. EVANS: There's hobby farms.

17 MS. LAND: Every farmer I've ever talked to  
18 says it's not a money-making thing.

19 SECRETARY STACY: Here's the other thing.  
20 You could have a house and have three chickens out  
21 back and you sell a dozen eggs every couple of weeks.

22 MS. LAND: Yep.

23 SECRETARY STACY: So it kind of waters  
24 down --

1 MS. LAND: Agricultural use, the definition  
2 is very, very large, and it covers everything you can  
3 imagine, from sod growing, bees. Dog breeding,  
4 though, if it's only in a kennel kind of thing, does  
5 not fall into animal husbandry. I don't know why, but  
6 it doesn't.

7 MS. PARGEON: Feeder Road.

8 CHAIRPERSON TIMMERMAN: Does Feeder Road  
9 just automatically come out if it's defined at the  
10 county level?

11 MS. LAND: Uh-huh.

12 CHAIRPERSON TIMMERMAN: We don't even need  
13 it in here?

14 MS. PARGEON: Don't need it.

15 MS. LAND: I would leave it in there. Just  
16 when you get to the county level, and then we say what  
17 a feeder road is, we define it there as opposed to --

18 SECRETARY STACY: Okay. All right.

19 MS. LAND: I don't really want to put the  
20 definition in here because if the county's definition  
21 changes, then you've got to go in and adopt and redo  
22 your -- do an amendment.

23 CHAIRPERSON TIMMERMAN: So you're saying  
24 keep it in here in the Definitions section?

1 MS. LAND: Uh-huh. Well, it's not in the  
2 Definitions. Well, let's take it out.

3 MS. PARGEON: Yeah. Take it out. It's  
4 right there. It's right there.

5 SECRETARY STACY: So you're pulling that?

6 MS. LAND: It doesn't hurt. Just leave it  
7 there.

8 MS. PARGEON: The road's there.

9 MS. LAND: That's not at all the way they go  
10 into it at the other. I mean, they have so much more.  
11 This is so broad, then they'll define it more.

12 MS. PARGEON: Floor Area, Residential. For  
13 the purpose of computing the minimum allowable floor  
14 area in a residential dwelling unit, the sum of the  
15 horizontal area of each story of the building shall be  
16 measured from the exterior faces of the exterior walls  
17 or from the centerline of walls separating two  
18 dwellings. The floor area measurement is exclusive of  
19 areas of basements, unfinished attics, attached  
20 garages, breezeways, and enclosed and unenclosed  
21 porches.

22 Floor Area.

23 MS. LAND: You don't want to -- you don't  
24 really want to take something like this out because --

1 well, unless you -- do you want tiny houses? I mean,  
2 people may have tiny houses that have floor spaces of  
3 less than 80 feet. Some of them are teeny tiny.

4 CHAIRPERSON TIMMERMAN: This just defines  
5 what floor area is.

6 MS. LAND: Right.

7 CHAIRPERSON TIMMERMAN: It doesn't say --

8 MS. LAND: It does say how you count it.

9 MS. PARGEON: Just leave it in there.

10 MS. LAND: Right. You don't want basements.  
11 You really don't want basements determined, unless you  
12 want to identify a basement that's a walkout basement,  
13 if it's built on a hill and it's a walk-in from the  
14 outside, you might want to count that then. Right  
15 now, it would not be counted as floor space.

16 SECRETARY STACY: Right.

17 MS. LAND: I don't know how Realtors do it.  
18 Do they count that as floor space or not? I don't  
19 think they count your regular basement when they're  
20 looking at your square footage of your house.

21 MS. PARGEON: Shall we go to Grade?

22 The ground elevation established for the  
23 purpose of regulating the number of stories and the  
24 height of the buildings or structures.

1           The building grade shall be the level of the  
2 ground adjacent to the walls of the building or  
3 structure if the finished grade is level. If the  
4 ground is not entirely level, the grade shall be  
5 determined by averaging the elevation of the ground  
6 for each face of the building.

7           CHAIRPERSON TIMMERMAN: Everywhere else it  
8 says "building or structure." Should we add "or  
9 structure" at the end?

10          MS. LAND: Hold on a minute. Yeah. If you  
11 like, you can. Is that a "Yeah"? Do you want me to  
12 add that?

13          MS. PARGEON: Yes.

14          SECRETARY STACY: Go ahead.

15          MS. PARGEON: Home Business. Any  
16 occupational activity carried on exclusively by a  
17 member of an immediate family residing on the premises  
18 and conducted entirely on the premises. No commodity  
19 shall be sold on the premises, nor mechanical  
20 equipment used the external effects of which may  
21 adversely affect adjacent property. Home businesses  
22 shall be clearly incidental and secondary to the use  
23 of the premises for dwelling purposes and shall not  
24 change the structural character thereof.

1 SECRETARY STACY: That's pretty solid.

2 CHAIRPERSON TIMMERMAN: Does the definition  
3 of "no commodity shall be sold" --

4 MS. LAND: You don't want a retail business  
5 on it.

6 CHAIRPERSON TIMMERMAN: How about with like  
7 an Etsy store?

8 MS. LAND: It's not sold on the premises;  
9 you ship it out. You don't want people driving up.

10 CHAIRPERSON TIMMERMAN: There's just so many  
11 people that do those kind of things now.

12 MS. LAND: Exactly.

13 SECRETARY STACY: But it's good to bring it  
14 up because --

15 CHAIRPERSON TIMMERMAN: So it's not sold on  
16 the premise?

17 MS. LAND: Right.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. PARGEON: Home occupation. Any  
20 occupational activity carried on exclusively by a  
21 member of the immediate family residing in the  
22 dwelling and conducted entirely within the dwelling.  
23 No commodity shall be sold on the premises, nor  
24 mechanical equipment used, the external effects of

1 which may adversely affect adjacent property.

2 Home occupations shall be clearly incidental  
3 and secondary to the use of the dwelling for dwelling  
4 purposes and shall not change the structural character  
5 thereof.

6 CHAIRPERSON TIMMERMAN: So occupation is  
7 something that goes on entirely within the house, and  
8 business is on the property.

9 How about -- I'm just thinking. I haven't  
10 thought it all the way through. Somebody like a  
11 plumber or something and they operate out of their  
12 house. Is that in this? Or the fact that they  
13 conduct their business off sight?

14 MS. LAND: Yeah. That doesn't -- yeah. It  
15 could be accountants who work from their home. They  
16 get people's books in and do them there. The Etsy  
17 kind of thing, if they're making jewelry or making  
18 pottery or whatever and selling it, you know, shipping  
19 it out. But that's all done within the home.

20 You can't use -- like, you could have a  
21 woodworking shop, for example. But if you're out  
22 there planing wood and it's extremely loud and  
23 bothering your neighbors, it may not be permitted. If  
24 it's inside a building where it's muffled and doesn't

1    bother the neighbors, then the external effects of the  
2    machinery you're using are not adverse to the  
3    neighbors.

4            So some of it has to do with whatever they  
5    are planning to do, a zoning inspector will have to  
6    evaluate it and determine whether it fits or doesn't.  
7    If the zoning inspector comes along and says, No, that  
8    doesn't fit for home occupation or home business, then  
9    there's the option of them appealing to the Board of  
10   Zoning Appeals, saying, We disagree with his decision.  
11   This is what it is.

12           So there's that -- the zoning inspector will  
13   have a lot of discretion in determine what something  
14   is. But there's always that, if you don't agree with  
15   it, they have a chance to go to the Board of Zoning  
16   Appeals and state their case.

17           MS. PARGEON: Junkyard. An area where  
18   waste, used, or secondhand materials are bought and  
19   sold, exchanged, stored, baled, package, disassembled,  
20   sorted, or handled, including, but not limited to  
21   scrap iron and other metals. Paper, rags, rubber  
22   tires, and bottles. A junkyard.

23           SECRETARY STACY: It goes on.

24           MS. PARGEON: It goes on. Includes --



1 that's it? Okay.

2 Junkyard includes automobiles, wrecking  
3 yards, salvage yards, recycling yards, and includes  
4 any open area of more than 200 square feet for  
5 storage, keeping abandonment of junk.

6 That's a junkyard.

7 SECRETARY STACY: So does somewhere address,  
8 like, you know, fencing, and, you know --

9 MS. LAND: Well, in any of the areas where  
10 you'll permit some of these kinds of things, you have  
11 the option of making things conditional uses. Under  
12 the conditional uses, you have the conditions that  
13 would need to be met to be able to have it in that  
14 area. Like, in an industrial area, you might be able  
15 to have a junkyard with just, go ahead and have your  
16 junkyard. But if they want to do it in a Light  
17 Industrial area, then you may have it under  
18 Conditional Use that you can have it, if it's got  
19 these kind of walls, enough fence, and setbacks, and  
20 that kind of stuff. So yeah. You'll be able to put a  
21 little bit more in.

22 SECRETARY STACY: So for the areas that we  
23 currently have, the fact that they have fencing is of  
24 their own choosing? It's not because of no zoning if

1 there's no --

2 MS. LAND: It will still be fencing of their  
3 own choosing. We know can't choose the fence.

4 SECRETARY STACY: No. But I mean, there  
5 would be some type of fencing to try to conceal. So  
6 they have that up because -- actually, they wouldn't  
7 need to be concealing that, would they?

8 CHAIRPERSON TIMMERMAN: You're saying  
9 currently?

10 SECRETARY STACY: Yeah. Everything I'm  
11 seeing has some type of --

12 MS. LAND: There are some regulations of  
13 junkyards that have nothing to do with zoning.  
14 However, they are so gutted in the past, I don't know,  
15 15 to 20 years, it's almost impossible to do anything  
16 with them. The sheriff's office has been working with  
17 us for years trying to figure out a way, and we just  
18 really can't.

19 The biggest ability to deal with junkyards  
20 is through the township trustees going after junk and  
21 debris and/or noxious weeds, if there are weeds  
22 growing through it. But they have to clean it up to  
23 do that and then charge them for it.

24 SECRETARY STACY: Sure. Right.

1 MS. LAND: There's always that possibility  
2 that if it costs too much, people don't pay their  
3 taxes and then you're stuck with it. They don't --  
4 you never get the money back. You'd be surprised how  
5 many people don't pay their taxes.

6 CHAIRPERSON TIMMERMAN: Just coming off of  
7 junkyard, I didn't see, at a quick glance, landfills,  
8 which we clearly have.

9 MS. PARGEON: They are considered different.

10 SECRETARY STACY: Sanitary. That's  
11 considered a sanitary landfill, correct? But can we  
12 prohibit any new landfills?

13 MS. LAND: But not the County's because you  
14 can't stop the government. Even if it's  
15 grandfathered, the County isn't subject to zoning on  
16 their properties.

17 SECRETARY STACY: Right.

18 MS. LAND: Neither is the City. They aren't  
19 subject to zoning.

20 SECRETARY STACY: I'm talking about a new  
21 landfill for -- as in the private business.

22 MS. LAND: Okay. Let's see about finding a  
23 landfill definition.

24 CHAIRPERSON TIMMERMAN: Is that something

1 you'll do?

2 MS. LAND: Yeah, I'll look.

3 CHAIRPERSON TIMMERMAN: Okay.

4 MS. LAND: I'll look for something there.

5 MS. PARGEON: Go to Loading Space next.

6 An off-street space on the same lot with a  
7 building or group of buildings for the temporary  
8 parking of commercial vehicle while loading and  
9 unloading merchandise, materials.

10 That makes sense.

11 A lot -- are we done with Loading Space?

12 MS. LAND: Nobody has any comments.

13 MS. PARGEON: Everybody okay with that?

14 CHAIRPERSON TIMMERMAN: Yeah.

15 MS. PARGEON: Lot. A parcel of land  
16 occupied or intended to be occupied by a main building  
17 or group of such buildings and accessory buildings and  
18 uses.

19 CHAIRPERSON TIMMERMAN: That's fine.

20 SECRETARY STACY: But you could have a bare  
21 lot with nothing on there.

22 CHAIRPERSON TIMMERMAN: Correct. Or  
23 intended to be occupied.

24 SECRETARY STACY: Or intended to be

1 occupied.

2 MS. PARGEON: Leave it as is.

3 Lot, Corner. A lot where the interior angle  
4 of two adjacent sides of the intersection of two  
5 streets is less than 135 degrees. A lot abutting upon  
6 a curve street or street shall be considered a corner  
7 lot for the purpose of this Resolution. If the arc is  
8 of less radius than 150 feet and the tangents to the  
9 curve at the two points where the lot lines meet the  
10 curve or the straight street line extend to form an  
11 interior angle of less than 135 degrees.

12 SECRETARY STACY: Is there a reason why we  
13 need to identify a lot as either a corner or interior?

14 MS. LAND: Setbacks. Because if you're a  
15 corner lot, you have frontline setbacks on both sides.

16 MR. EVANS: Which they kind of have pictures  
17 of that on --

18 MS. LAND: I live on a corner lot. It  
19 narrows down where you can put things pretty  
20 considerably.

21 MR. EVANS: Side setback is completely  
22 different.

23 MS. LAND: A side setback is the same as the  
24 frontline, and then front setback is the same as the

1 frontline so it puts your house over farther.

2 SECRETARY STACY: Right. Right.

3 MS. PARGEON: A Lot, Interior. Any lot  
4 other than a corner lot.

5 MS. LAND: There you go.

6 MS. PARGEON: Okay. Lot, Zoning. A single  
7 tract of land which, at the time of filing for a  
8 zoning certificate, designated by its owner or  
9 developer as a tract to be used, developed, or built  
10 upon as a unit under single ownership or control.

11 MS. LAND: That's a zoning lot.

12 MS. PARGEON: That's a zoning lot.

13 A zoning lot shall satisfy this Resolution  
14 with respect to area size dimensions and frontage as  
15 required in the district in which the zoning lot is  
16 located. A zoning lot, therefore, may not coincide  
17 with a lot of record as filed with the County Recorder  
18 but may include one or more lots of record.

19 CHAIRPERSON TIMMERMAN: What does that mean?

20 MS. LAND: You may have a lot that's too  
21 small to do something on, but you have two lots, two  
22 parcels; you can make them one zoning lot.

23 SECRETARY STACY: Okay.

24 MS. LAND: That gets kind of weird with

1 setbacks and stuff because there are still lot lines  
2 there, so it's up -- a lot of times when you come to  
3 subdivisions it gets like that. You know, they have  
4 several parcels that have one subdivision on plots of  
5 building lots. It's weird. I don't know.

6 MS. PARGEON: Lot area.

7 CHAIRPERSON TIMMERMAN: Hold on. Are we --

8 MS. LAND: I'm not sure we're done with  
9 that.

10 SECRETARY STACY: Is this referring to,  
11 like, someone whose got a fair bit of undeveloped  
12 ground that's in ag and they lot it off anticipating  
13 that zoning could go in place? And if it's a  
14 buildable lot prior, then it remains valid if it meets  
15 the specifications for the health department for 2  
16 acres, is it addressing that or not?

17 MS. LAND: I don't think that's what this is  
18 addressing.

19 SECRETARY STACY: Okay.

20 MS. LAND: Because that would go under the  
21 Nonconforming Use. Because if you have a  
22 nonconforming lot that exists -- because if you --  
23 when you get down to lot size for the separate  
24 different areas, say you have to have 2 acres to build

1 a house, or, say, 3 acres to build a house, it's up to  
2 you guys. If I have a one-and-a-half-acre lot that  
3 the health department would give me the ability to put  
4 a septic system on, or that I can get to the sanitary  
5 sewer with, so that they don't care how about big the  
6 lot is, it's too small to be a building lot after what  
7 you guys said was 2 acres. But I would still get to  
8 build -- be able to have a building permit on it  
9 because it existed before you put zoning in. You  
10 can't have zoning take away a right that already  
11 existed --

12 SECRETARY STACY: Correct.

13 MS. LAND: -- with something like that.

14 MR. EVANS: It'd be nice if you could make  
15 that well known, public knowledge --

16 SECRETARY STACY: I'm sure we could.

17 MR. EVANS: -- so people would know.

18 MS. LAND: You know, you could. But it  
19 might be easier to address it with the way you do your  
20 density rules, when you get to -- there are all kinds  
21 of weird density formulas. Some of them say for every  
22 20 acres you own, you can split off a 2-acre building  
23 lot. If you have 80 acres, you could put four lots  
24 along then road, and then the rest of those 80 acres



1 couldn't have anything on them.

2           Some of the townships have just the rule, if  
3 you have 2 acres, you can build a house. Some of them  
4 say, if you have 5 acres, you can build a house. They  
5 don't have any more difficulty with the density issue,  
6 getting dense, you know, too much, than anybody else.

7           It's the most liberal way by saying, you  
8 know, if you have a size lot, you can build on it.  
9 That way you cut down on the farmer having to cut into  
10 large tracks to be able to -- because you can't -- if  
11 you own 80 acres over here and 8 acres here that  
12 aren't connected, you can't do that with these because  
13 it's not part of that lot. So that's -- you could end  
14 up with, you know, I don't know, 40 houses on  
15 80 acres.

16           SECRETARY STACY: Is Washington Township --  
17 who is it?

18           MS. LAND: Washington Township says you have  
19 to have 35 acres to build a house.

20           MS. PARGEON: 35 acres?

21           MS. LAND: Yes.

22           MR. EVANS: That's, like, Arcadia.

23           MS. LAND: That is Arcadia. The thing is,  
24 they have been -- you can't get -- you can't get

1 conventional funding -- you know, a conventional  
2 mortgage on more than a 5-acre lot. Banks won't give  
3 it to you. So the people couldn't build any houses,  
4 so they let them have a 5-acre lot, if they have  
5 35 acres. They let them -- that's where this would  
6 come into play where they let them have -- you know,  
7 they have 35 acres, but it's in a 5-acre and a 30-acre  
8 chunk. It's that kind of thing. If you're not going  
9 to do something that's really goofy with density, you  
10 may not even need that extra bit there.

11 CHAIRPERSON TIMMERMAN: Within that 35-acre  
12 scenario do you have to essentially get your lot split  
13 in some fashion?

14 MS. LAND: Usually you'd have to to be able  
15 to get your financing.

16 CHAIRPERSON TIMMERMAN: Financing.  
17 Interesting.

18 MS. LAND: Yeah. But they will let them  
19 have their 35 acres in two parcels so they have their  
20 35 acres.

21 CHAIRPERSON TIMMERMAN: So, again, to your  
22 point, we might not even need this section.

23 MS. LAND: Perhaps you'll need a little bit  
24 of it, but some of it you probably won't.

1 CHAIRPERSON TIMMERMAN: Do we just leave it  
2 alone for right now?

3 MS. LAND: Yeah. Because you may -- I keep  
4 thinking of other scenarios. One of the things that  
5 you probably want to consider is frontage: How much  
6 frontage is permitted. Because most of them have  
7 150 or 250 feet of frontage required for a building  
8 lot. If you have -- there's also that trend to have  
9 60 feet, and, then, the pole back to a big lot back  
10 behind, and it's less expensive to get that on the  
11 road. Fire departments hate it. It's something  
12 that's a real difficult thing to do. So you may want  
13 to keep this whole issue to be able to make sure that  
14 they have enough frontage. They only are using  
15 60 feet back to their road. Make sense?

16 You can get some pretty funky looking lots  
17 when people decide that they want to maneuver the  
18 zoning to get what they need. This is just their, you  
19 know --

20 CHAIRPERSON TIMMERMAN: But if you called  
21 out road frontage of 150 or 200 feet, whatever, later  
22 on, if you're calling that out, is this necessary?

23 MS. LAND: It might be, because --

24 CHAIRPERSON TIMMERMAN: Might still be

1 necessary?

2 MS. LAND: -- what if you have two parcels  
3 and one of them is going to be your building lot and  
4 the other one is still farm ground, you could use that  
5 part of your farm ground as part of your frontage then  
6 by making part of your lot.

7 CHAIRPERSON TIMMERMAN: Okay.

8 MS. LAND: Even though it's not part of that  
9 same parcel.

10 We may not need it. You can decide when you  
11 get up there about frontage how you want to handle it.  
12 I can see, though, where this might be necessary  
13 sometime.

14 CHAIRPERSON TIMMERMAN: Okay. So leave it  
15 for right now?

16 MS. LAND: Yeah.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: Lot Area.

19 MS. PARGEON: The total horizontal area  
20 within the lot lines is a lot.

21 Lot Coverage. The part or percent of the  
22 lot occupied by buildings, including accessory  
23 buildings.

24 Lot Depth.

1 CHAIRPERSON TIMMERMAN: Is there anything  
2 else that would go in that, by chance?

3 MS. LAND: Lot coverage?

4 CHAIRPERSON TIMMERMAN: Yeah. This goes  
5 back to what's considered a building.

6 MS. LAND: Yeah. It will be different based  
7 on what -- on the different areas. You know,  
8 residential areas, agricultural areas, and business  
9 and industrial areas have different parts of covered  
10 because there is quite a lot larger percentage of a  
11 lot covered in industrial and business because of  
12 paved parking lots and huge buildings and things like  
13 that that you wouldn't want in a residential district  
14 because you want yards and open space and air between  
15 houses, and that's part of what you're trying to do.

16 The purpose of zoning is to promote the  
17 orderly growth, so you want to be able to have every  
18 rule that you're looking at, you need to think, will  
19 that help make it so it's a better developed -- you  
20 know, they won't end up with houses that you can share  
21 a cup of sugar out the window into the other. You  
22 don't want that.

23 MS. PARGEON: Lot Depth. The horizontal  
24 distance between the front and the rear lot lines

1 measured along the median between the side lot lines.

2 Lot Lines. The lines bounding a lot as  
3 defined herein.

4 Front Lot Line. In the case of an interior  
5 lot is that line separating said lot from the street.  
6 In the case of the through lot is that line separating  
7 said lot from either street.

8 What a puzzle.

9 Rear Lot Line. That lot line opposite the  
10 front lot line. In the case of the lot pointed at the  
11 rear, the rear lot line shall be an imaginary line  
12 parallel to the front line, not less than 10 feet  
13 long, the line furthest from the front lot line and  
14 wholly within the lot.

15 SECRETARY STACY: That's a lot of "lots."

16 MS. PARGEON: That is a lot.

17 MS. LAND: When you get places with  
18 cul-de-sacs, though, you end up with some of these  
19 lots that have points.

20 MS. PARGEON: Yeah, the corner lots  
21 mentioned in that.

22 Side Lot Line. Any lot line other than the  
23 front lot line or rear lot line, a side lot line  
24 separating a lot from another lot or lots in an

1 interior side lot line.

2 MS. LAND: Say that three times fast.

3 You guys can look those over, and see if you  
4 can find some way to make them a little less  
5 confusing.

6 SECRETARY STACY: That wording on that is  
7 horrendous.

8 MS. LAND: That's painful.

9 MS. PARGEON: A Lot of Record. A parcel of  
10 land, the dimensions of which are shown on the  
11 document or the map on file with the County Recorder  
12 or in common use by County officials in which actually  
13 exist as so shown.

14 Lot Width. The horizontal straight line  
15 distance between the side lot lines measured between  
16 the two points where the front setback line intersects  
17 the side lot lines.

18 Here we go. Major Thoroughfare. An  
19 artificial street --

20 MS. LAND: Arterial.

21 MS. PARGEON: Oh, arterial -- thank you --  
22 street which is intended to serve as a large volume  
23 traffic way for both the immediate area and the region  
24 beyond and is designated as a major thoroughfare,

1 parkway, freeway, expressway, or equivalent term on  
2 the Comprehensive Land Use Plan to identify those  
3 streets comprised the basic structure of the area's  
4 highway system.

5 MS. LAND: Major thoroughfare is going to  
6 need to be changed to a different definition. We  
7 don't use that term anymore. They use -- it's  
8 something different than that. I'll have to go back  
9 and check.

10 SECRETARY STACY: So the word "thoroughfare"  
11 is --

12 MS. LAND: Thoroughfare is --

13 SECRETARY STACY: -- switched out?

14 MS. LAND: Yeah.

15 SECRETARY STACY: Needs to be switched out  
16 with something else.

17 MS. LAND: I will find that and fix it.

18 MS. PARGEON: Mobile Home. A structure of  
19 vehicular portable design built on a chassis and  
20 designed to be moved from one site to another, and to  
21 be used with or without a permanent foundation.

22 MS. LAND: Okay. The point of that, saying  
23 "with or without a permanent foundation," under, like,  
24 County records, if you take the axles off and you put



1 it on a permanent foundation, it becomes a building  
2 and they tax it as a building. But, under zoning, you  
3 can still identify it as a mobile home whether it's  
4 permanently on a foundation or not, and that's what  
5 this is doing.

6 MR. EVANS: So our definition can be  
7 different from theirs?

8 MS. LAND: That's just what they use for  
9 taxing purposes. Because mobile homes are taxed way,  
10 way, way cheaper than real estate tax. So once they  
11 affix themselves on a permanent foundation, they  
12 switch them over to real estate tax.

13 MS. PARGEON: Mobile Home Park.

14 CHAIRPERSON TIMMERMAN: Is that something  
15 that we want to discuss before moving on?

16 SECRETARY STACY: Does that make a  
17 difference to us whether it's permanent or moveable?  
18 Is that what you're asking?

19 CHAIRPERSON TIMMERMAN: I mean, if it's  
20 not -- depending upon how other things go, if it's not  
21 affixed to the ground, is it considered a building?  
22 Do you need a permit for a mobile home at that point?

23 MS. LAND: You do have it as a building up  
24 in the Building definition.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: And I think you do want it to  
3 continue to be a building because it will end up being  
4 a residence, and that's more than an accessory  
5 building.

6 SECRETARY STACY: Right.

7 MS. LAND: And it's something -- I think you  
8 should leave it in as being treated as a building.

9 CHAIRPERSON TIMMERMAN: Right.

10 MS. LAND: The question is: Do you want to  
11 consider it a mobile home anymore once it's put on a  
12 foundation, or do you want to consider it as a regular  
13 building?

14 MS. PARGEON: Would be better to be  
15 considered a regular building.

16 MS. LAND: Up to you guys.

17 MS. PARGEON: Because the axles are down.  
18 The wheel are gone.

19 MR. EVANS: I guess it kind of depends on  
20 the rest of where the rest are and how they address  
21 mobile homes.

22 MS. LAND: One of the other things that you  
23 may want to consider that I've seen in other codes is,  
24 when you talk about a mobile home, you identify an age

1 limit on them; that if they're old, they can stay  
2 there. But if they take one out and put one in, it  
3 can't be older than X, because, you know --

4 MS. PARGEON: They depreciate so fast.

5 MS. LAND: Yeah.

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

7 MS. LAND: Do you want to find some sort of  
8 age limitation on them or leave it as is?

9 MS. PARGEON: Leave it as is. Because it  
10 depends on the make how fast they fall apart.

11 SECRETARY STACY: Yeah.

12 MS. LAND: With or without permanent  
13 foundation. It becomes more liberal if you only say  
14 "without permanent foundation." Right?

15 MS. PARGEON: Well, if it needs to be moved  
16 real fast and it still has its axles there, they can  
17 throw wheels on it and get it out of there quicker, if  
18 it has to be.

19 MS. LAND: Those don't move fast.

20 MS. PARGEON: I know. I know.

21 MS. LAND: It's up to you. With or without,  
22 or do you want that changed in some manner?

23 SECRETARY STACY: I think it makes it a  
24 little more clear if you have "with or without."

1 CHAIRPERSON TIMMERMAN: That's fine.

2 MS. PARGEON: Mobile Home Park. Any plot of  
3 ground upon which two or more mobile homes occupied  
4 for dwelling or sleeping purposes are located.

5 CHAIRPERSON TIMMERMAN: That's  
6 straightforward.

7 MS. PARGEON: Nonconforming Building. A  
8 building or a portion of a building lawfully existing  
9 at the effective date of this Resolution and that does  
10 not conform to the provisions of the Resolution in the  
11 district in which it is located. That's the  
12 definition for it.

13 Nonconforming Uses. The use of land or a  
14 building, or a portion thereof, which does not conform  
15 with the use Regulation of the district in which it is  
16 situated.

17 CHAIRPERSON TIMMERMAN: Is that always a  
18 grandfathered situation?

19 MS. LAND: Uh-huh.

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. LAND: Nonconforming uses have to be  
22 grandfathered. That's a statute: You must do it.

23 However, it also says, if they cease to be  
24 the grandfathered use for a period of time, I think

1 it's three years, then they no longer have the  
2 grandfathered protection.

3 The other thing, when you get into  
4 nonconforming uses, that section, then you'll start  
5 analyzing how much a nonconforming use can be changed.  
6 Some zoning books say a nonconforming use can't be  
7 changed at all. Once it gets changed, it loses its  
8 grandfather. Others say it can be changed as much as  
9 you want, as long as you don't leave the lot it's on.

10 Some say it can be changed up to, you know,  
11 15 percent more, 20 percent more, if they want to  
12 expand it.

13 There's also some provisions that, if it is  
14 destroyed by a certain percentage, then it cannot be  
15 rebuilt. If it's destroyed up to, like, 50 percent,  
16 if it's destroyed, it can't come back. It's lost its  
17 grandfathered and you've got to do something else with  
18 it. So those are things to think about when you get  
19 to the nonconforming use stuff.

20 CHAIRPERSON TIMMERMAN: That's all later,  
21 though.

22 MS. PARGEON: Off-street Parking Lot. A  
23 facility providing vehicle parking spaces along with  
24 adequate drives and aisles for the parking of more

1 than three vehicles.

2 MS. LAND: Well, my teenagers are in  
3 trouble.

4 MS. PARGEON: Yeah. You need more spaces,  
5 huh?

6 MS. LAND: I do.

7 MS. PARGEON: Parking Space. An area of  
8 different length and width, fully accessible, for the  
9 parking of permitted vehicles, and said areas shall be  
10 exclusive of drives, aisles, and entrances giving  
11 access to the space.

12 Principal Use. The main use to which the  
13 premises are devoted and the principal purpose for  
14 which the premises exist. That's what Principal Use  
15 means.

16 Prosecutor. The Hancock County Prosecutor.

17 Public Utility. A person, firm, or  
18 corporation, municipal department, board of  
19 commission, duly authorized to furnish and furnishing  
20 under federal, state, or municipal regulations to the  
21 public gas, electric, sewage, disposal, communication,  
22 telephone, transportation, or water.

23 Recreation Vehicle. A vehicle or --

24 MS. LAND: Before you go on. Public

1 Utility, I'm going to check and see if there's any  
2 additions or changes in that definition for anything.

3 MS. PARGEON: Okay.

4 MS. LAND: I don't know that there are, but  
5 I will check it.

6 MS. PARGEON: Sounds good.

7 Recreational Vehicle. A vehicle or a unit  
8 that is mounted on or drawn by another vehicle  
9 primarily designed for temporary living. Recreational  
10 vehicles include travel trailers, camping trailers,  
11 truck campers, and motor homes.

12 Room. For the purpose of determining lot  
13 area requirements and density in a multi-family  
14 district, a room is a living room, dining room, or  
15 bedroom equal to at least 80 square feet in area. A  
16 room shall not include the area in kitchen, sanitary  
17 facilities, utility provisions, corridors, hallways  
18 and storage. Plans presented showing one-, two-, or  
19 three-bedroom units, and including a den, library, or  
20 other extra room shall count such extra rooms as a  
21 bedroom for the purpose of computing density.

22 Okay. If all of a sudden all the kids come  
23 home from school, you put them in the den or the  
24 library.

1           Setback. The distance required to obtain  
2 minimal front, side, or rear yard open space  
3 provisions of this Resolution.

4           Sign. The use of any words, numerals,  
5 figures, devices, designs, or trademarks by which  
6 anything is made known such as to show an individual  
7 firm, profession, or a business, and are visible to  
8 the general public.

9           Sign, Accessory. A sign which is related to  
10 the principal use of the premises upon which it is  
11 located.

12           CHAIRPERSON TIMMERMAN: That would be a  
13 business sign?

14           MS. LAND: Yes.

15           CHAIRPERSON TIMMERMAN: And Non-Accessory  
16 might be a billboard?

17           MS. LAND: Yeah.

18           MS. PARGEON: Sign, Non-Accessory. A sign  
19 which is not related to principal use of the premises  
20 upon which it is located. These include outdoor  
21 advertising, such as billboards and the like.

22           Street. A public-dedicated right-of-way,  
23 other than an alley, which affords a principal means  
24 of access to abutting property.



1           Structure. Anything constructed or erected,  
2 the use of which requires location on the ground or  
3 attachment to something having location on the ground.

4           Temporary Use or Building. A use or  
5 building permitted to exist during the specified  
6 period of time by the Board of Zoning Appeals or other  
7 authorized body or official.

8           Use. The principal purpose for which land  
9 or a building is arranged, designed, or intended, or  
10 for which land or a building is or may be occupied.

11           A Variance. A modified of the literal  
12 provision of the Zoning Resolution granted when strict  
13 enforcement of the Zoning Resolution which would cause  
14 undue hardships owing to the circumstances unique to  
15 the individual property for which the variance is  
16 granted.

17           The crucial points of the variance are:

18           A. Undue hardship.

19           B. Unique circumstances.

20           C. Applying to property.

21           A variance is not justified unless all three  
22 elements are present in the case. A variance is not  
23 an exception.

24           MS. LAND: Variances also are something that

1 cannot be of the making of the individual asking for  
2 the variance. They may have -- it's not an undue  
3 hardship if you make your own hardship; something that  
4 you do that requires a variance.

5 CHAIRPERSON TIMMERMAN: Is that something  
6 you add in there?

7 MS. LAND: I don't know. I was thinking  
8 about that. I'm going to highlight it here on my  
9 text, and I'll -- that's something I'll think about.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. PARGEON: Wall Obscuring. A structure  
12 of definite height and location to serve as an  
13 obscuring screen in carrying out the requirements of  
14 this Resolution.

15 SECRETARY STACY: You're in the home  
16 stretch.

17 MS. PARGEON: Yards. The open spaces on the  
18 same lot with the main building and occupies an  
19 unobstructed from the ground upward, except as  
20 otherwise provided in this Resolution and is defined  
21 herein. Also see Setback.

22 Front Yard. An open space extending the  
23 full width of the lot, the depth of which is a minimum  
24 horizontal distance between the nearest point of the

1 main building and the proposed road right-of-way line  
2 as depicted on the Allen Township Comprehensive Land  
3 Use Plan.

4 Rear Yard. An open space extending the full  
5 width of the lot, the depth of which is the minimum  
6 horizontal distance between the rear lot line and the  
7 nearest point of the main building. In the case of a  
8 corner lot, the rear yard may be opposite either  
9 street frontage.

10 Side Yard. An open space between a main  
11 building and the side lot line extending from the  
12 front yard to the rear yard, the width of which is the  
13 horizontal distance from the nearest point on the side  
14 lot line to the nearest point of the main building.

15 Zoning Inspector. Zoning inspector of Allen  
16 Township, Hancock County, Ohio, or his authorized  
17 representative.

18 Zoning District Maps. The zoning district  
19 map or maps of the township, together with all  
20 amendments subsequently adopted.

21 MS. LAND: I have a number of things that I  
22 need to check on for you.

23 Is there anything that you guys want to  
24 revisit or don't like? Do you like the drawings? Do

1 you want those to stay? The illustrations?

2 CHAIRPERSON TIMMERMAN: I think they are  
3 very handy for clarification.

4 MS. PARGEON: Yes.

5 MR. EVANS: Especially when you're talking  
6 about 135 degrees to that corner.

7 MS. LAND: See somebody out there with a big  
8 protractor.

9 At least you know the qualification for the  
10 zoning inspector is good math.

11 Okay. What would you guys like to -- I  
12 think it's close to getting time to wrap up.

13 CHAIRPERSON TIMMERMAN: Yeah.

14 MS. LAND: For the next time, what is it you  
15 would like to -- how far do you want to go in looking  
16 at things next time?

17 MS. PARGEON: Principal Uses.

18 MS. LAND: Article III is the next one.

19 MS. PARGEON: Yeah.

20 MS. LAND: So that's -- you probably want to  
21 do -- do you want to go through Agricultural and the  
22 Residential Uses?

23 MS. PARGEON: Yeah. Which one is that?

24 MS. LAND: That would up through

1 Article VIII.

2 CHAIRPERSON TIMMERMAN: Through VIII or to  
3 VIII?

4 MS. LAND: To VIII. Yeah. Because VIII is  
5 Local Business.

6 There's not a lot of pages, but there's a  
7 lot a stuff to determine in these.

8 MS. PARGEON: Okay.

9 MS. LAND: Unless you want to --

10 MS. PARGEON: We'd go up to that --

11 CHAIRPERSON TIMMERMAN: Page 18. I'm sorry.  
12 Page 20.

13 MS. LAND: Page 20. We'll do 19. So 11  
14 through 19. If you would like, go ahead and look at  
15 all of the way up to 34.

16 CHAIRPERSON TIMMERMAN: 34, all the way  
17 through the different districts.

18 MS. LAND: Yeah. All the way up through all  
19 the different districts. That way, if we go through  
20 something quicker, we can move on to the next ones.

21 So, for the next time, it's review and be  
22 ready for the districts. But all things considered,  
23 I think we will probably not get through them in two  
24 hours. It looks like a tiny little bit, only doing

1 eight pages, but it's a big bit.

2 MS. PARGEON: Yeah. It's big.

3 MS. LAND: It's the most meat that you've  
4 got in the entire zoning book.

5 CHAIRPERSON TIMMERMAN: That will be  
6 Thursday.

7 MS. LAND: Thursday at 5:30.

8 CHAIRPERSON TIMMERMAN: We're going to do  
9 5:30 because that's what's in the paper next week.

10 How does that play out? Are you going to  
11 try to get it corrected back to 5:00?

12 MS. LAND: I talked to Mark already. He's  
13 going to have it corrected for next week. We couldn't  
14 get it done for this week because it takes too long to  
15 get to the paper. They have too long of a lead time  
16 to be able to publish.

17 CHAIRPERSON TIMMERMAN: Yeah.

18 MS. LAND: That was just my goof.

19 SECRETARY STACY: Do you need the  
20 original --

21 MS. LAND: No. You keep the original. I'd  
22 like a copy.

23 SECRETARY STACY: You want a copy?

24 MS. LAND: Yeah. I need a copy sooner,

1 rather than later, of that. And as well as --

2 SECRETARY STACY: How do you want me to get  
3 that to you?

4 MS. LAND: Do you want me to take those with  
5 me and make a copy and then give them back to you?

6 SECRETARY STACY: That works.

7 MS. LAND: I'll take that and the copy of  
8 the minutes -- the signed copy, and, that way, I can  
9 get them copied and bring them on Thursday back to  
10 you.

11 MR. EVANS: Do you want these back or do we  
12 keep these?

13 MS. LAND: I'll take those. That, you keep.  
14 This, I'll take back.

15 SECRETARY STACY: The Chairman's signature  
16 is on there.

17 CHAIRPERSON TIMMERMAN: Do you want that  
18 back?

19 MS. LAND: No. Those are for your  
20 reference.

21 MS. PARGEON: Good.

22 SECRETARY STACY: I guess I'm wondering if,  
23 because I'm not going to retype that, I'm going to  
24 refer to that. But you're going to have it until we

1 meet.

2 MS. LAND: Here's a copy of one you can --

3 SECRETARY STACY: If it's just a copy, that  
4 works.

5 MS. LAND: Okay. Anything else anybody  
6 wants to discuss before we go?

7 CHAIRPERSON TIMMERMAN: Do we want to open  
8 up for any comments, just five minutes?

9 MS. LAND: You're welcome to do that, if  
10 that's what you'd like to do.

11 CHAIRPERSON TIMMERMAN: Anybody have  
12 thoughts?

13 MS. LAND: You put them in a coma.

14 FROM THE FLOOR: It's a pretty sleepy group  
15 out here.

16 CHAIRPERSON TIMMERMAN: Does anybody have  
17 any comments? We're going to open up it up for just a  
18 couple minutes, if anybody has any thoughts.

19 MS. PARGEON: Questions?

20 CHAIRPERSON TIMMERMAN: We're going to cover  
21 through the zoning districts next week.

22 MS. LAND: Thursday.

23 CHAIRPERSON TIMMERMAN: Sorry. Thursday.

24 We're going to start covering them. So whatever that



1 looks like. Okay.

2 No questions. No comments. Perfect.

3 CHAIRPERSON TIMMERMAN: Can you email me  
4 just so I have contact information? Just "Hi."

5 MS. LAND: Sure. I have a list of  
6 everybody's addresses and contact information. I'll  
7 send it out to each of you.

8 CHAIRPERSON TIMMERMAN: Do you want  
9 contact -- communication to go through you, though?

10 MS. LAND: Yes. But in case you need to  
11 call --

12 CHAIRPERSON TIMMERMAN: For whatever reason.

13 MS. LAND: -- and talk with anybody, you'll  
14 have it.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MS. LAND: I also will send blind copies to  
17 you guys so that when you respond back, it only comes  
18 to me. None of the rest of you will see it. So what  
19 you get, you'll know everybody else has gotten, too.

20 I need your email.

21 MS. PARGEON: I will get it to you.

22 SECRETARY STACY: I might want to add my  
23 cell phone to my home phone to you.

24 MS. LAND: Okay.

1 MR. EVANS: Do we need to move to adjourn?

2 CHAIRPERSON TIMMERMAN: We will, once this  
3 is over. Yes.

4 MS. LAND: Done talking. Yeah.

5 CHAIRPERSON TIMMERMAN: Trying to keep  
6 everything related to this during the meeting.

7 MR. EVANS: Oh, yeah. Sure.

8 MS. LAND: I'll just add it on to that list.

9 CHAIRPERSON TIMMERMAN: Beforehand we were  
10 trying to indicate the half height before the meeting  
11 started. You were trying to talk about, and I'm,  
12 like, we'll discuss zoning stuff during the zoning  
13 meeting.

14 MS. LAND: Yes.

15 CHAIRPERSON TIMMERMAN: Is there anything  
16 else?

17 (No response.)

18 MS. PARGEON: See you Thursday.

19 CHAIRPERSON TIMMERMAN: Is there a motion to  
20 adjourn the meeting?

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

23 VICE CHAIRPERSON REHUS: I second.

24 SECRETARY STACY: Darrin seconded.

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Everyone say "Aye," if you agree.

(Vote taken.)

SECRETARY STACY: Motion passed.

- - -

And, thereupon, the proceedings were  
concluded at 8:03 p.m.

- - -

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1 BEFORE THE ALLEN TOWNSHIP ZONING COMMISSION

2 VAN BUREN, OHIO

3 - - -

4 In Re: Allen Township Zoning Commission

5 - - -

6 TRANSCRIPT OF PROCEEDINGS

7 - - -

8 Thursday, April 11, 2024

9 5:30 p.m.

10 Allen Township Center

11 12829 State Route 613

12 Van Buren, Ohio 45889

13 - - -

14 SUSAN L. COOTS, RPR

15 REGISTERED PROFESSIONAL REPORTER

16 - - -

17  
18  
19  
20  
21  
22 ANDERSON REPORTING SERVICES, INC.

23 3040 Riverside Drive, Suite 125

24 Columbus, Ohio 43221

(614) 326-0177

1 APPEARANCES:

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

9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

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

17 - - -

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

4 - - -

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

6 - - -

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

12 - - -

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

15 Start with roll call.

16 Dave Evans.

17 MR. EVANS: Here.

18 CHAIRPERSON TIMMERMAN: Clara Pargeon.

19 MS. PARGEON: Here.

20 CHAIRPERSON TIMMERMAN: Darrin Rehus.

21 VICE CHAIRPERSON REHUS: Here.

22 CHAIRPERSON TIMMERMAN: Deb Stacy.

23 SECRETARY STACY: Here.

24 CHAIRPERSON TIMMERMAN: John Timmerman,  
here.

1 Do you want to read the minutes?

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

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

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

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

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

15 Dave Evans seconded the motion. Motion  
16 passed.

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

24 The Allen Township Zoning Commission

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

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

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

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

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



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

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

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

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

12 VICE CHAIRPERSON REHUS: I'll second.

13 SECRETARY STACY: That's Darrin.

14 Everyone agree, say "Aye."

15 (Vote taken.)

16 SECRETARY STACY: Motion passed.

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

19 SECRETARY STACY: Sure.

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

1 SECRETARY STACY: Okay.

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

4 SECRETARY STACY: Okay.

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

10 SECRETARY STACY: Okay.

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

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

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

1 are aware of what we're answering.

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

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

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

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

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

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

8 SECRETARY STACY: No.

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

11 MR. EVANS: No.

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

14 MS. PARGEON: We were all listening.

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

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

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

22 MS. LAND: Right.

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

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

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

15 CHAIRPERSON TIMMERMAN: Okay.

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

21 SECRETARY STACY: Yeah.

22 CHAIRPERSON TIMMERMAN: Yeah.

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

1 They have these slashes, those slashes.

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

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

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

11 CHAIRPERSON TIMMERMAN: Sure.

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

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

22 CHAIRPERSON TIMMERMAN: Okay.

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

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

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

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

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

17 CHAIRPERSON TIMMERMAN: Yeah.

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

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

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

1 CHAIRPERSON TIMMERMAN: Yeah.

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

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. LAND: Like kind.

8 CHAIRPERSON TIMMERMAN: Okay.

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

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

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



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

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

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

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

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

22           MS. PARGEON: Yeah, I did too.

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

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

6 SECRETARY STACY: Okay.

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

9 We good to keep going?

10 MS. LAND: Yeah.

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

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

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

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

24 CHAIRPERSON TIMMERMAN: Okay.

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

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

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

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

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

15 CHAIRPERSON TIMMERMAN: Nobody knows.

16 MR. EVANS: I mean, kind of.

17 SECRETARY STACY: We have Van Buren Lake.

18 MS. PARGEON: The Rocky Ford Creek.

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

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

3 SECRETARY STACY: All right.

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

7 CHAIRPERSON TIMMERMAN: Okay.

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

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

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

1 Is that, again, where we do --

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

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

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

14 SECRETARY STACY: Okay.

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

19 SECRETARY STACY: Okay.

20 MS. LAND: Boilerplate.

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

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

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

9 Article IV.

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

12 CHAIRPERSON TIMMERMAN: Yeah.

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

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

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

1           Section 401. Principal Uses Permitted.

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

7           1. Farms and farming operations.

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

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

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

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

19          6. Home occupations.

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

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

24          And in the case of agricultural use, this

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

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

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

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

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

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

22 SECRETARY STACY: Right.

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



1 SECRETARY STACY: Okay.

2 MS. LAND: Makes sense.

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

7 SECRETARY STACY: Yeah.

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

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

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

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

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

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

17           SECRETARY STACY: Okay.

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

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

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

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

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

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

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

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

3           MS. LAND: Yeah.

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

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

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

19           MS. LAND: Uh-huh.

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

23           MS. LAND: Uh-huh.

24           CHAIRPERSON TIMMERMAN: Again, what is the

1 difference between home businesses and home  
2 occupations?

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

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

13 CHAIRPERSON TIMMERMAN: Okay.

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

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

23 MS. LAND: Yeah.

24 CHAIRPERSON TIMMERMAN: There is very

1 similar wording, but --

2 MS. LAND: They are.

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

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

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

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

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

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

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

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

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

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

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

24 Anybody have any opinions or cares on that?

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

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

6 SECRETARY STACY: Uh-huh.

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

11 MR. EVANS: Want to change it?

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

14 Darrin's good. Dave's good.

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

22 CHAIRPERSON TIMMERMAN: Uh-huh.

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



1 MR. EVANS: No.

2 SECRETARY STACY: You've built homes.

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

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

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

17 MS. LAND: Yes.

18 CHAIRPERSON TIMMERMAN: Okay.

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

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

6 SECRETARY STACY: Is that Regional Planning?

7 MS. LAND: County Commissioners.

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

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

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

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

18 CHAIRPERSON TIMMERMAN: Right.

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

20 CHAIRPERSON TIMMERMAN: Right.

21 MS. LAND: This is just a minimum.

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

24 VICE CHAIRPERSON REHUS: Yeah.

1 MS. PARGEON: Yeah.

2 MR. EVANS: Yeah.

3 CHAIRPERSON TIMMERMAN: No. 2.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 MS. LAND: Eight.

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

1 was no regulations, he could still get --

2 MS. LAND: Eight.

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

9 MS. LAND: Right.

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

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

15 CHAIRPERSON TIMMERMAN: Okay.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 CHAIRPERSON TIMMERMAN: Right.

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

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

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

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

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

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

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

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

8 MS. LAND: Yeah.

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

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

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

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

21 CHAIRPERSON TIMMERMAN: If you restrict  
22 that.

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

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

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

8 SECRETARY STACY: Yeah.

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

11 VICE CHAIRPERSON REHUS: You looking at me?

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

14 MS. LAND: Yeah.

15 CHAIRPERSON TIMMERMAN: Does anybody have  
16 any thoughts?

17 FROM THE FLOOR: Could you guys repeat it?

18 CHAIRPERSON TIMMERMAN: Did you fall asleep?

19 FROM THE FLOOR: Yeah.

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

22 FROM THE FLOOR: Repeat it.

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

1 look at it.

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

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

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

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

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

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

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

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

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

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

12 FROM THE FLOOR: I get it.

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

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

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



1 Health, and the Hancock County Subdivision  
2 Regulations.

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

9 CHAIRPERSON TIMMERMAN: Doing more than we  
10 are.

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

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

15 SECRETARY STACY: Sure. Go ahead.

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

21 CHAIRPERSON TIMMERMAN: Right.

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

24 SECRETARY STACY: I think so.

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

1 there --

2 MS. PARGEON: That's totally different.

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

4 MS. PARGEON: Yes.

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

8 MS. PARGEON: Very small.

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

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

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

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

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

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

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

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

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

18 SECRETARY STACY: What do you guys think?

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

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

1 SECRETARY STACY: Right.

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

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

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

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

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

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

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

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

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

1 septic field in last week --

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

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

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

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

10 MS. PARGEON: And it costs.

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

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

15 CHAIRPERSON TIMMERMAN: The board just got  
16 bigger.

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

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

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

3 CHAIRPERSON TIMMERMAN: Right.

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

9 CHAIRPERSON TIMMERMAN: It is. It is.

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

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

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

17 CHAIRPERSON TIMMERMAN: Yeah.

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

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

23 FROM THE FLOOR: Okay.

24 MS. LAND: Because a pressure line requires

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

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

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

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

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

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

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

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

24 FROM THE FLOOR: Or even smaller.



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

9           VICE CHAIRPERSON REHUS: Makes sense to me.

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

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

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

19          FROM THE FLOOR: I want 2 acres.

20          FROM THE FLOOR: Stay over there.

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

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

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

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

9 MS. LAND: Yeah.

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

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

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

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

1 1 acre, what's your frontage?

2 CHAIRPERSON TIMMERMAN: Exactly.

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

5 MR. EVANS: Little over 200 deep.

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

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

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

13 FROM THE FLOOR: Oh, hey.

14 CHAIRPERSON TIMMERMAN: Not quite next.

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

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

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

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

24 MS. LAND: Absolutely.

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

3 VICE CHAIRPERSON REHUS: Yeah.

4 MS. PARGEON: Aye.

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

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

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

11 CHAIRPERSON TIMMERMAN: You're fine.

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

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

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

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

20 CHAIRPERSON TIMMERMAN: There sure is.

21 MS. LAND: Okay.

22 CHAIRPERSON TIMMERMAN: We're good to go?

23 MS. LAND: Yeah.

24 CHAIRPERSON TIMMERMAN: No. 3. Home

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

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

7 MS. LAND: Uh-huh.

8 CHAIRPERSON TIMMERMAN: -- necessary?

9 MS. LAND: Uh-huh. Yeah.

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

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

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

21 CHAIRPERSON TIMMERMAN: Right.

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

1 CHAIRPERSON TIMMERMAN: Right.

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

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

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

18 CHAIRPERSON TIMMERMAN: Yeah.

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

21 MS. LAND: It's grandfathered.

22 SECRETARY STACY: Okay.

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

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

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

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

9 MS. LAND: Vagueness is probably better.

10 CHAIRPERSON TIMMERMAN: I think so, too.

11 MR. EVANS: I agree.

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

14 CHAIRPERSON TIMMERMAN: Right.

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

17 CHAIRPERSON TIMMERMAN: Right.

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

20 MS. PARGEON: Down to the nitpicking.

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

23 CHAIRPERSON TIMMERMAN: Okay. All right.

24 No. 4. Mobile homes used to replace an

1 existing mobile home subject to the following  
2 conditions:

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

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

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

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

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

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



1 home units.

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

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

7 SECRETARY STACY: So that makes sense?

8 MR. EVANS: Yeah.

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

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

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

17 SECRETARY STACY: Right.

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

23 SECRETARY STACY: Okay. Yeah.

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

1 good.

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

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

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

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

13 MS. PARGEON: Modular homes are prefab.

14 MR. EVANS: Sectional.

15 MS. PARGEON: Two sections.

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

17 MS. PARGEON: Yes.

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

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

23 MS. PARGEON: That's modular.

24 CHAIRPERSON TIMMERMAN: Modular or

1 sectional.

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

5 SECRETARY STACY: Okay.

6 CHAIRPERSON TIMMERMAN: Okay.

7 SECRETARY STACY: That works.

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

10 CHAIRPERSON TIMMERMAN: They're houses.

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

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

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

21 MS. PARGEON: Yeah.

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

24 CHAIRPERSON TIMMERMAN: So this says mobile

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

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

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

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

8 CHAIRPERSON TIMMERMAN: This is only for  
9 replacement.

10 MS. PARGEON: Right.

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

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

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

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

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

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

24 VICE CHAIRPERSON REHUS: To replace.

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

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

4 CHAIRPERSON TIMMERMAN: Exactly.

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

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

10 MS. LAND: Which you need.

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

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

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

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

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

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

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

6 MR. EVANS: Okay.

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

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

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

15 SECRETARY STACY: Okay.

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

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

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

20 CHAIRPERSON TIMMERMAN: Any thoughts?

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

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

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

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

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

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

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

11 CHAIRPERSON TIMMERMAN: You got any two  
12 cents?

13 MR. EVANS: I say leave it.

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

16 VICE CHAIRPERSON REHUS: Just keep it.

17 MS. PARGEON: Just keep it.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. PARGEON: Just keep it.

20 CHAIRPERSON TIMMERMAN: But still add the  
21 definitions?

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

24 CHAIRPERSON TIMMERMAN: Sure.

1 MS. PARGEON: Yes.

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

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

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

10 MS. LAND: Probably not a good idea.

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

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

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

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

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

24 CHAIRPERSON TIMMERMAN: I think just trying



1 to keep the value of stuff up probably.

2 MS. PARGEON: Yes.

3 MR. EVANS: Yes.

4 MS. PARGEON: Definitely.

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

8 Is that out of this book?

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

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

16 MS. PARGEON: Yeah.

17 SECRETARY STACY: Yeah.

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

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

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

1 instead of 8?

2 CHAIRPERSON TIMMERMAN: Probably.

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

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

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

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. LAND: That should be 5.

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

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

21 So for agricultural --

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

24 CHAIRPERSON TIMMERMAN: Yeah.

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

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

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

10 CHAIRPERSON TIMMERMAN: Exactly.

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

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

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

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

20 MS. LAND: And barns.

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

23 MS. PARGEON: Right.

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

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

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

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

13 SECRETARY STACY: Okay.

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

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

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

20 MS. LAND: Okay.

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

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

4 MR. EVANS: Right.

5 SECRETARY STACY: Okay.

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

8 MS. LAND: That's an exception.

9 CHAIRPERSON TIMMERMAN: Not included in the  
10 height.

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

13 CHAIRPERSON TIMMERMAN: I think that's all.

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

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

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

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

22 SECRETARY STACY: I understand.

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

1 your house.

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

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

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

9 SECRETARY STACY: You went back there.

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

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

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

17 CHAIRPERSON TIMMERMAN: Oh.

18 MS. PARGEON: All the way across.

19 SECRETARY STACY: You mean like an  
20 outbuilding?

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

24 MS. LAND: Uh-huh.

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

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

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

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

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

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

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

20 SECRETARY STACY: Okay.

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

23 SECRETARY STACY: Okay.

24 MR. EVANS: I agree.

1 SECRETARY STACY: Okay.

2 CHAIRPERSON TIMMERMAN: You like 20?

3 MR. EVANS: Yeah.

4 VICE CHAIRPERSON REHUS: That's fine.

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

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

8 MR. SCOTT: Right.

9 SECRETARY STACY: I would agree.

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

12 SECRETARY STACY: I think that makes sense.

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

15 CHAIRPERSON TIMMERMAN: Per unit.

16 SECRETARY STACY: Per home.

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

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

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

22 CHAIRPERSON TIMMERMAN: It's not.

23 VICE CHAIRPERSON REHUS: No.

24 CHAIRPERSON TIMMERMAN: I mean, the only



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

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

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

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

13 MR. EVANS: I agree.

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

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

19 MR. EVANS: Or 760.

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

24 MS. LAND: It depends on what you guys

1 write.

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

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

9 CHAIRPERSON TIMMERMAN: Right.

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

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

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

17 CHAIRPERSON TIMMERMAN: Stick with 1,000.

18 MS. PARGEON: Yeah. Definitely.

19 CHAIRPERSON TIMMERMAN: Okay.

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

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

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

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

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

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

16 SECRETARY STACY: Yeah.

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

19 Does anybody else want to read?

20 MR. EVANS: I'll read.

21 SECRETARY STACY: You win.

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

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

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

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

12 MS. PARGEON: That's good.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 MS. LAND: Yeah.

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

8 MS. LAND: Huh-uh.

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

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

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

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

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

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

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

19 MS. LAND: It's an option.

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

22 MS. PARGEON: Yeah.

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



1 MS. LAND: Oh, yeah.

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

3 CHAIRPERSON TIMMERMAN: Right.

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

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

9 VICE CHAIRPERSON REHUS: No.

10 MS. LAND: Makes the book shorter.

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

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

16 CHAIRPERSON TIMMERMAN: Right.

17 MR. EVANS: Not very much.

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

20 MR. EVANS: 4,000.

21 SECRETARY STACY: Yeah.

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

24 SECRETARY STACY: Ready for Title One?

1 CHAIRPERSON TIMMERMAN: For what?

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

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

6 MS. LAND: Clear down to Article 6.

7 SECRETARY STACY: Yeah.

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

10 SECRETARY STACY: I just don't --

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

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

21 SECRETARY STACY: Okay.

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

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

1 MR. EVANS: Sure.

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

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

11 I'm good with that.

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

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

24 MS. LAND: You have farms and farming

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

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

12 CHAIRPERSON TIMMERMAN: Okay.

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

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

22 MS. LAND: Right.

23 SECRETARY STACY: That would be a nuisance.

24 MS. LAND: It would be a nuisance.

1 MS. PARGEON: So would paintball.

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

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

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

12 You just got a new term to do.

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

16 SECRETARY STACY: There you go.

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

20 CHAIRPERSON TIMMERMAN: Right.

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

24 CHAIRPERSON TIMMERMAN: It brings in a lot

1 of people at one time.

2 MS. LAND: Uh-huh.

3 CHAIRPERSON TIMMERMAN: Right.

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

6 MR. EVANS: Should we go to 602?

7 FROM THE FLOOR: (Unintelligible).

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

11 MS. PARGEON: Where is that?

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

18 MR. EVANS: Ready for section 602?

19 MS. LAND: Yeah.

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

1 zoning commission:

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

6 I'm not sure what that says.

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

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

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

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

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

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

23 MS. PARGEON: Tattoo parlors.

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

1 people walking in for a tattoo.

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

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

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

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

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

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

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

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

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

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



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

3 MR. EVANS: Yeah. The repairs.

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

7 MS. PARGEON: Set up somewhere else.

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

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

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

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

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

22 MS. PARGEON: That makes sense.

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

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

2 CHAIRPERSON TIMMERMAN: Well, like, the --

3 MR. EVANS: Page 6.

4 SECRETARY STACY: There you go.

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

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

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

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

17 MS. LAND: Oh, yes.

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

21 MR. EVANS: Right.

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

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

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

10 CHAIRPERSON TIMMERMAN: Right.

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

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

15 MR. EVANS: What section is that under?

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

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

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

21 MS. LAND: Business Districts.

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

24 MS. PARGEON: Off-street parking.

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

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

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

11 CHAIRPERSON TIMMERMAN: Yeah.

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

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

18 SECRETARY STACY: Right.

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

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

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

24 MS. LAND: If you live upstairs and have

1 your studio downstairs.

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

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

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

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

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

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

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

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

5 CHAIRPERSON TIMMERMAN: Right.

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

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

10 MR. EVANS: Is it square footage?

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

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

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

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

22 SECRETARY STACY: Right. It gets  
23 challenging.

24 MS. LAND: Do you have many home businesses

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

7 MR. EVANS: Leave it alone.

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

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

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

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

15 MR. EVANS: I say remove it.

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

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

21 MR. EVANS: I agree.

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

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

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

6 MS. LAND: Doggy Daycare.

7 MR. EVANS: Yeah.

8 SECRETARY STACY: That could be very  
9 annoying.

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

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

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

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

21 MR. EVANS: Okay.

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



1 scope.

2 SECRETARY STACY: That's true.

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

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

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

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

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

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

20 CHAIRPERSON TIMMERMAN: Yeah, I think so.

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

22 CHAIRPERSON TIMMERMAN: Yes.

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

24 CHAIRPERSON TIMMERMAN: "Except home

1 businesses."

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

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

7 CHAIRPERSON TIMMERMAN: It's existing.

8 MS. LAND: Right.

9 CHAIRPERSON TIMMERMAN: So what --

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

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

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

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

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

23 MS. PARGEON: Right.

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

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

3 MS. PARGEON: Sure.

4 MR. EVANS: Whatever.

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

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

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

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

14 MS. LAND: Yeah. Schedule.

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

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

23 CHAIRPERSON TIMMERMAN: In all directions.

24 MS. PARGEON: All the way around.

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

3 MS. PARGEON: Makes sense.

4 MR. EVANS: Everybody good with that?

5 MS. PARGEON: Yeah.

6 CHAIRPERSON TIMMERMAN: I think so.

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

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

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

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

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

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

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

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

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

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

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

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

23 That's good.

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

1 idea.

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

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

14 7. Cemeteries, which --

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 CHAIRPERSON TIMMERMAN: Okay.

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

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

13 CHAIRPERSON TIMMERMAN: Okay.

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

16 CHAIRPERSON TIMMERMAN: No.

17 MS. PARGEON: No, thanks.

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

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

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



1 Resolution.

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

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

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

12 CHAIRPERSON TIMMERMAN: Okay. Perfect.

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

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

18 SECRETARY STACY: Yeah.

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

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

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

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

1 CHAIRPERSON TIMMERMAN: Okay.

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

5 Section 603. Area and Bulk Requirements.

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

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

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

17 MS. LAND: Okay.

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

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

22 MR. EVANS: What are you saying?

23 (Laughter.)

24 MS. LAND: Yeah, really.

1 MR. EVANS: That's a third.

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

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

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

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

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

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

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

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

3 VICE CHAIRPERSON REHUS: Yeah.

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

6 MS. LAND: 15,000.

7 SECRETARY STACY: Oh, all right. Sorry.

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

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

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

1 some houses.

2 SECRETARY STACY: Like a walkable --

3 MS. LAND: Yeah. Walkable neighborhoods.

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

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

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

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

10 CHAIRPERSON TIMMERMAN: In 75 with R-2.

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

14 CHAIRPERSON TIMMERMAN: Tiny.

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

19 MS. LAND: Yeah.

20 MR. EVANS: -- with the setbacks.

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

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

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

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

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

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

7 MR. EVANS: Close.

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

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

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

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

20 CHAIRPERSON TIMMERMAN: Right.

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

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

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

2 SECRETARY STACY: Okay.

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

7 CHAIRPERSON TIMMERMAN: R-2 is just tiny.

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

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

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

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

22 CHAIRPERSON TIMMERMAN: Right.

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

1 MS. LAND: Yes.

2 CHAIRPERSON TIMMERMAN: Currently larger.  
3 Yeah.

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

9 CHAIRPERSON TIMMERMAN: Yeah.

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

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

17 MR. EVANS: No.

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

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



1 you're still allowing for the --

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

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

5 MR. EVANS: As a hobby.

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

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

10 CHAIRPERSON TIMMERMAN: If we combine  
11 them --

12 MS. LAND: Is that a quarter?

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

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

18 CHAIRPERSON TIMMERMAN: Right.

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

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

23 CHAIRPERSON TIMMERMAN: 75 is super skinny.

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

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

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

6 SECRETARY STACY: Okay.

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

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

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

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

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

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

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

19 CHAIRPERSON TIMMERMAN: Right.

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

22 SECRETARY STACY: Okay.

23 MR. EVANS: -- that helps.

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

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

2 MS. LAND: 25 percent maximum lot coverage.

3 SECRETARY STACY: Yeah.

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

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

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

8 MS. LAND: Keep it at 15.

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

11 MR. EVANS: 10 would be less.

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

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

17 SECRETARY STACY: Keep the 15.

18 CHAIRPERSON TIMMERMAN: Keep the 15.

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

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

23 SECRETARY STACY: I do, too.

24 MR. EVANS: That would be the minimum.

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

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

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

8 SECRETARY STACY: At this point.

9 CHAIRPERSON TIMMERMAN: Yeah.

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

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

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

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

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

20 SECRETARY STACY: 35.

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

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

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

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

6 MR. EVANS: Is it?

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

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

11 MS. LAND: Huh-uh.

12 SECRETARY STACY: No. That's township.

13 MR. EVANS: Where is Garfield?

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

16 MR. EVANS: Right by Whirlpool.

17 SECRETARY STACY: Yeah.

18 MS. PARGEON: Griffith Heights.

19 MS. LAND: Yes.

20 SECRETARY STACY: Okay.

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

23 MR. EVANS: Less restrictive.

24 MS. LAND: It is.

1 CHAIRPERSON TIMMERMAN: Okay.

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

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

6 MR. EVANS: Okay.

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

9 MS. PARGEON: Just a little bit longer.

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

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

14 SECRETARY STACY: Where are we at?

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

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

18 CHAIRPERSON TIMMERMAN: RM-1 ends at 19.

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

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

22 MS. LAND: If we do RM-1 now, we'll get  
23 through all of the residential type things tonight.

24 SECRETARY STACY: All right.

1 MR. EVANS: Speed read.

2 Article VII. RM-1, Multiple-Family  
3 Residential Districts. Section 700. Intent. The  
4 RM-1 Multiple-Family Residential Districts are  
5 designed to provide sites for multiple-family  
6 dwellings, structures, and related uses which will  
7 generally serve as zones of transitions between the  
8 non-residential districts and lower-density,  
9 single-family districts.

10 The Multiple-Family District is further  
11 provided to serve the limited needs for the apartment  
12 type of unit in an otherwise medium-density,  
13 single-family community.

14 Section 701. Principal Uses Permitted.

15 In Multiple-Family Residential Districts, no  
16 building or land shall be used and no building shall  
17 be erected unless for one or more of the following  
18 specified uses, unless otherwise provided in this  
19 resolution:

20 1. All uses permitted and as regulated in  
21 the R-2, One-Family, Family Residential District.

22 MS. LAND: We don't have R-2 anymore. Do  
23 you want to put R-1?

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MR. EVANS: 2. Multiple-Family Dwellings.

2 3. Convalescent homes.

3 4. Accessory buildings and uses customarily  
4 incident to any of the above permitted uses.

5 Good to go?

6 MS. LAND: We need to figure out where  
7 condominium setups would need to be. Sometimes they  
8 are multi-family buildings. Sometimes they are  
9 individual buildings that are still in a condo  
10 association and they are on one lot. So I'm not sure  
11 where they fit in here or if you have a place for  
12 them. I'm going to talk to Regional Planning before  
13 the next time and have them help me with that.

14 MR. EVANS: Talking about condos?

15 MS. LAND: Because I think condos are going  
16 to be more and more of a big issue.

17 SECRETARY STACY: Uh-huh.

18 MR. EVANS: 4. Accessory Buildings.

19 CHAIRPERSON TIMMERMAN: You did that.

20 MR. EVANS: Section 702. Principal Uses  
21 Permitted Subject to Special Conditions.

22 The following uses shall be permitted  
23 subject to the conditions hereinafter imposed for each  
24 use and subject further to the review and approval of



1 the zoning commission.

2 1. General hospitals with no maximum height  
3 restrictions when the following conditions are met:

4 A. All such hospitals shall be developed  
5 only on sites consisting of at least 10 acres in area.

6 B. The minimum distance of any main or  
7 accessory building from bounding lot lines or streets  
8 shall be at least 100 feet from front, rear, and side  
9 yards for all two-story structures. For each story  
10 above two, the minimum yard distance shall be  
11 increased by at least 20 feet.

12 2. Telephone exchange buildings and public  
13 utility offices, including transformer stations,  
14 substations, or gas regulator stations all without  
15 storage yards.

16 3. Accessory building and uses customarily  
17 incident to any of the above permitted uses.

18 Good.

19 Section 703. Area and Bulk Requirements.

20 See Article XIV, Schedule of Regulations,  
21 limiting the height and bulk of building, minimum size  
22 of lot and permitted land use, maximum density permit  
23 and providing minimum yard setback requirements.

24 MS. LAND: Wait until you read G.

1 CHAIRPERSON TIMMERMAN: That's a fun one.  
2 When I read through G it felt like it was a math  
3 problem.

4 MS. LAND: What time is Susie's train going  
5 to arrive kind of math problem.

6 CHAIRPERSON TIMMERMAN: It's determining  
7 basically how many stories your apartment building can  
8 be, basically.

9 MS. LAND: And the type of units therein.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. LAND: For density.

12 CHAIRPERSON TIMMERMAN: Exactly.

13 MS. LAND: Do you want to read G, so we  
14 can --

15 MR. EVANS: Sure. G. In an RM-1,  
16 Multiple-Family Residential District, the total number  
17 of rooms of 80 square feet or more, not including  
18 kitchen, dining, and sanitary facilities, shall not be  
19 more than the area of the parcel in square feet  
20 divided by 1,500.

21 All units shall have at least one living  
22 room and one bedroom, except that not more than  
23 10 percent of the units may be an efficiency apartment  
24 type.

1           For the purpose of computing the permitted  
2 number of dwelling units, the following room  
3 assignments shall control: Efficiency, one room. One  
4 bedroom, two rooms. Two bedrooms, three rooms. Three  
5 bedroom, five rooms. Four bedroom, seven rooms.

6           Plans presented showing one-, two-, three-,  
7 or four-bedroom units, including a den, library, or  
8 other such rooms, shall count such other rooms as a  
9 bedroom for the purpose of computing density.

10           In an RM-1 District, the area used for  
11 computing density shall be the total site area,  
12 exclusive of any dedicated public right-of-way of  
13 either interior or bounding roads.

14           A lot going on there.

15           MS. PARGEON: Yeah.

16           MS. LAND: Now we need a flowchart.

17           I don't know if this is some kind of  
18 standard that's used when multi-family apartment  
19 complexes are being built. It's a HUD standard.  
20 I have no idea where these came from.

21           CHAIRPERSON TIMMERMAN: I'll say this: It's  
22 the same as Washington's.

23           MS. LAND: Is it?

24           CHAIRPERSON TIMMERMAN: Yeah.

1           SECRETARY STACY: It's very standard on lots  
2 for them.

3           CHAIRPERSON TIMMERMAN: Washington's book is  
4 the exact same as this. So I think it's an accepted  
5 equation.

6           MS. LAND: Do you understand it?

7           CHAIRPERSON TIMMERMAN: Somebody spent a lot  
8 of time figuring that out.

9           MR. EVANS: They thought best to leave it  
10 alone.

11          SECRETARY STACY: We are required to have  
12 this multi-family.

13          MR. EVANS: We're kind of close to where  
14 99 is. The south side of 99, they're getting ready to  
15 build things there where the new church is going.

16          SECRETARY STACY: Right. Right. I mean,  
17 there's already a lot of apartments and condos.

18          MR. EVANS: They've been adding a lot.

19          SECRETARY STACY: Yeah.

20          MS. LAND: Are there any condos in the  
21 Hillcrest subdivision, or is it all single-family?

22          VICE CHAIRPERSON REHUS: I'm not sure.

23          CHAIRPERSON TIMMERMAN: No idea.

24          FROM THE FLOOR: I think there is.

1           SECRETARY STACY: You think there are some  
2 condos?

3           FROM THE FLOOR: Yeah.

4           MR. EVANS: Part of it depends on what  
5 you're classifying as a condo. I see some people  
6 where it looks like a condo and they're calling it a  
7 villa.

8           FROM THE FLOOR: They call it a villa.  
9 There are two sides they go into and come out of the  
10 main area into the apartment area.

11          MS. LAND: The thing that makes it a condo,  
12 though, is it's the legal status of how the ground is  
13 broken up. A condo is on one lot. It may have a lot  
14 of residences on one lot, but it's all under one lot.  
15 It's not like everybody has their own -- it's not  
16 like -- and then they own a portion of it. So the  
17 association owns the ground, and the people own --  
18 whoever the owners are own the inside of the  
19 buildings. The association owns the outside of the  
20 buildings. Condos are a little --

21          FROM THE FLOOR: Like a duplex.

22          MS. LAND: Yeah. They can be duplexes.  
23 They can be towers. They can be multi-floored towers.  
24 A lot of them are duplexes, though. Or quads.

1 MR. EVANS: At Brookstone, they've got --

2 MS. LAND: They are, like, four.

3 MR. EVANS: Exactly. And I think right  
4 across the road, I think it's Siferd's might be  
5 starting. There's a sign there.

6 MS. LAND: They are building. Is that in  
7 Allen?

8 MR. EVANS: That's right where it says,  
9 "AEP tower." See where 99 --

10 MS. LAND: Yeah.

11 MR. EVANS: It's in the yellow.

12 MS. LAND: Oh, okay.

13 MR. EVANS: Is that in the city limits? Is  
14 that what the white is is city limits?

15 MS. LAND: I think. Yes.

16 FROM THE FLOOR: Are you guys talking about  
17 the driveway access?

18 MR. SCHIMMOELLER: Yeah. We talked about  
19 that at the other meeting, how all of the people are  
20 going to get in.

21 FROM THE FLOOR: They are not very happy  
22 with the new apartment buildings going in there  
23 because they are going to open up some of those roads  
24 that are cut off and have been cut off for years.

1 They are going to open them up for all of that  
2 traffic. Some of that is going to run through there  
3 and cross over.

4 FROM THE FLOOR: The cul-de-sac becomes a  
5 through street.

6 MS. LAND: That's the way those are  
7 designed. In the initial plat, if you look at them,  
8 they'll have a stub road through there. They have the  
9 right-of-way already designated.

10 MS. PARGEON: Oh, my gosh.

11 MS. LAND: I don't know how many units are  
12 going to be in there or how many -- I haven't heard.

13 SECRETARY STACY: How do we deal with, like,  
14 how large of an area? I mean, it sounds like there's  
15 also already a lot of the multi-family stuff already  
16 in place. We do have to provide, but it could be a  
17 smaller --

18 MS. LAND: Yeah. Oh, yeah. You decide how  
19 many places there are allowed to be. They have to be  
20 provided for, and there has to be someplace on the map  
21 where they are allowed to be. They might be where  
22 they already are.

23 SECRETARY STACY: Oh. So it could be where  
24 they already are?

1 MS. LAND: Yeah. Uh-huh. Same way with  
2 residential. I mean, you're going to be guided a  
3 little bit by where they already are for where you're  
4 going to put your residential areas, where you think  
5 residential would grow logically out of where things  
6 already exist. There's always somebody who takes --  
7 you know, starts a new place out in the middle of  
8 nowhere.

9 CHAIRPERSON TIMMERMAN: Thanks.

10 MS. LAND: Yeah. It'll probably end up  
11 agricultural.

12 CHAIRPERSON TIMMERMAN: I hope.

13 MR. EVANS: We got through the whole thing,  
14 didn't we?

15 MS. LAND: We did.

16 CHAIRPERSON TIMMERMAN: Do we want to touch  
17 any of the tables, though, with the RM-1?

18 MS. LAND: Yeah, that's a question. They  
19 have a maximum height -- well, the first, the lot  
20 width and area is designated by this formula of what  
21 they are putting on it. I don't know if we want to  
22 mess with that too badly. It's confusing. It seems  
23 like a standard. Height, we have 30 feet.

24 CHAIRPERSON TIMMERMAN: Yeah.



1 MS. LAND: Which, you know, sort of stops  
2 the possibility of having multi-story apartment  
3 buildings.

4 MR. EVANS: Three-story, if they have a flat  
5 roof.

6 CHAIRPERSON TIMMERMAN: Right. Which you  
7 don't see that much of.

8 SECRETARY STACY: So would that 30 feet mean  
9 a two-story?

10 MR. EVANS: If it has a gable roof.

11 SECRETARY STACY: Okay. But it could  
12 have -- it's either two or three stories.

13 MR. EVANS: If it's a flat-roof building,  
14 then it's three roughly.

15 MS. PARGEON: They'd just keep on going,  
16 wouldn't they?

17 MS. LAND: Do you want to leave it at 30?

18 CHAIRPERSON TIMMERMAN: I think if you take  
19 it down to 25 and try to restrict them to two stories,  
20 you're starting to get into a flat roof. Not truly  
21 flat, but lower pitch.

22 MS. LAND: And houses are 30.

23 CHAIRPERSON TIMMERMAN: Right.

24 SECRETARY STACY: Yeah. Yeah.

1 CHAIRPERSON TIMMERMAN: I think I would  
2 stick with 30.

3 MS. PARGEON: Definitely.

4 MS. LAND: Looks like setbacks are 30, 30,  
5 and 30.

6 I think H has to do with parking. In no  
7 instance shall the distance between buildings be less  
8 than 30 feet. But off-street parking can be required  
9 in those rear and side setbacks.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. LAND: They can't put buildings on top  
12 of each other and still have 30 feet between them.

13 SECRETARY STACY: Okay.

14 CHAIRPERSON TIMMERMAN: 25 percent lot  
15 coverage seems --

16 SECRETARY STACY: Do we have to do something  
17 with those bedroom designations?

18 MS. LAND: That's the size of the unit.

19 MR. EVANS: That's what was said.

20 CHAIRPERSON TIMMERMAN: That's part of what  
21 G is kind of dictating.

22 MS. PARGEON: Yeah. Multi-Family  
23 Residential District.

24 MR. EVANS: It seems a descent size, if one

1 bedroom -- basically, it's a bedroom, a living room, a  
2 kitchen, and bathroom. That's 500 square feet.

3 MS. LAND: That's a standard size apartment  
4 that they will probably rent for 1,500 bucks.

5 SECRETARY STACY: So it would probably be a  
6 mix of efficiencies. And then the larger ones, is  
7 that how you would interpret that?

8 MS. LAND: I think G is basically making  
9 sure that they can't have an entire set of  
10 efficiencies. They have to be incident to the other  
11 ones, but they don't want only efficiencies.

12 SECRETARY STACY: Okay.

13 MS. LAND: For every however many  
14 multi-bedroom apartments or multi-room apartments,  
15 they can have a certain number of efficiencies in this  
16 formula.

17 SECRETARY STACY: Okay.

18 MR. EVANS: It kind of reminds me a little  
19 bit of Birch Haven. The one big building, there are  
20 efficiencies in there. There are one bedrooms, there  
21 are two bedrooms.

22 MS. LAND: But when you get, like, down in  
23 Columbus, down around the university, there's building  
24 after building after building that are only

1 efficiencies, and that's probably something you don't  
2 really want to see.

3 MR. EVANS: There's a good mix at Birch  
4 Haven.

5 SECRETARY STACY: All right. Did we do it?

6 MS. LAND: I think we did it. We made it.

7 CHAIRPERSON TIMMERMAN: Thanks. Tried to  
8 make it quick.

9 VICE CHAIRPERSON REHUS: Now we're going to  
10 get wet.

11 CHAIRPERSON TIMMERMAN: Well, we can stay.  
12 If it's raining, we can stay and do more.

13 MS. LAND: No, I have an umbrella. I'm  
14 good.

15 CHAIRPERSON TIMMERMAN: Can you walk us all  
16 to our cars?

17 FROM THE FLOOR: I just was curious about  
18 the pool. Is that a built-in pool, or is that an  
19 above-ground?

20 SECRETARY STACY: That's actually a good  
21 question.

22 CHAIRPERSON TIMMERMAN: That is a good  
23 question.

24 FROM THE FLOOR: Because an above-ground

1 pool is 4 feet off the ground, and, then, it has the  
2 fencing around it. That fencing that goes around it  
3 is maybe only 2 feet, but you're still 6 feet up.

4 SECRETARY STACY: That's a good question.

5 CHAIRPERSON TIMMERMAN: Do you know anything  
6 on that standard?

7 FROM THE FLOOR: I don't.

8 FROM THE FLOOR: And you have semi  
9 in-ground.

10 FROM THE FLOOR: I think Deb said to put a  
11 fence around it regardless.

12 FROM THE FLOOR: Well, you've got to think  
13 about the pool. If it's above ground, you're not  
14 falling into the pool aimlessly.

15 FROM THE FLOOR: Most of the above-ground  
16 pools have self-latching gates.

17 FROM THE FLOOR: Oh, yes, they do. They  
18 absolutely do.

19 FROM THE FLOOR: You probably ought to call  
20 something out in there because that specifically said  
21 pool wall, which rendered it more to above ground.  
22 But in-ground pools are obviously a different animal  
23 all together.

24 FROM THE FLOOR: That sounded to me like an

1 in-ground pool.

2 FROM THE FLOOR: See, I heard it the other  
3 way.

4 FROM THE FLOOR: Because it has to be a --  
5 CHAIRPERSON TIMMERMAN: It covers  
6 everything.

7 SECRETARY STACY: Something we're going to  
8 revisit is pools. Yeah.

9 FROM THE FLOOR: How many people know  
10 somebody with a pool? A lot of people? I don't see  
11 pools anymore.

12 MS. PARGEON: We don't have a pool, but I  
13 know people with them.

14 SECRETARY STACY: The thing with a pond,  
15 that's an attractive nuisance.

16 MS. LAND: The ponds --

17 SECRETARY STACY: So it's almost like  
18 they're a hardship to --

19 MS. LAND: You're going to have to -- when  
20 you get to the pond section, you're going to be  
21 talking about where they can be placed. We've run  
22 into problems in other townships with people putting  
23 them in their front yard. They end up right near the  
24 road and they are a serious problem. You know, so

1 you'll have to discuss what you want to do with ponds  
2 when you get to the pond section.

3 MS. PARGEON: I just couldn't believe they  
4 are that close to the road, but they are. People  
5 aren't thinking when they put them in. Oh, we needed  
6 dirt so we decided to put a pond in.

7 MS. LAND: Or they just really want a pretty  
8 pond in the front of the house.

9 MS. PARGEON: It's not called a wetland.

10 MS. LAND: They put stones and make it a  
11 beautiful swimming area, but, then, as soon as a car  
12 lands in it, they are a little bit annoyed.

13 CHAIRPERSON TIMMERMAN: Darrin, your rain  
14 just let up.

15 FROM THE FLOOR: I have a question, too,  
16 about R-1. You took about four businesses or  
17 excluding home business out of there. What does that  
18 do with Airbnb, Vrbo? Because those are technically  
19 businesses that people can live in. Like, I can live  
20 in my house three years -- six months out of the year,  
21 and, then, I could Vrbo it or Airbnb it. It could  
22 still be technically my primary home.

23 MS. LAND: Yeah. We'll get to some of that  
24 in -- there's a general section that doesn't -- those

1 aren't considered home businesses. And they mostly  
2 aren't -- they are dealt with separately. They're not  
3 part of what you do in a regular residential district.  
4 But it's a newer concept, so it's something that  
5 you'll have to look at.

6 CHAIRPERSON TIMMERMAN: Anybody else?

7 (No response.)

8 CHAIRPERSON TIMMERMAN: Anybody else up here  
9 have anything?

10 (No response.)

11 MS. LAND: Before I come back next time,  
12 hopefully, I'll be an able to have some definitions of  
13 things like vape stores, tobacco shops, tattoo  
14 parlors, piercing establishments, so that we can get  
15 some more definitions. Because when you get into the  
16 business stuff, you're going to want to be able to  
17 identify where you're putting things and what can be  
18 permitted.

19 CHAIRPERSON TIMMERMAN: Ideally we'll have  
20 our map next time.

21 MS. LAND: Let's hope so. Here's your  
22 documents.

23 Do you have a place for us to lock stuff up?

24 MR. SCHIMMOELLER: Yes.



1 CHAIRPERSON TIMMERMAN: Anything else?

2 (No response.)

3 MS. PARGEON: I make a motion that we  
4 adjourn.

5 MR. EVANS: I second.

6 SECRETARY STACY: Everyone who agrees, say  
7 "Aye."

8 (Vote taken.)

9 SECRETARY STACY: Motion passed. We're  
10 adjourned.

11 - - -

12 And, thereupon, the proceedings were  
13 concluded at 8:02 p.m.

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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                           Monday, April 15, 2024

                          5:01 p.m.

9                           Allen Township Center

10                          12829 State Route 613

                          Van Buren, Ohio 45889

11                          - - -

12                          MARILYN K. MARTIN, RPR

13                          REGISTERED PROFESSIONAL REPORTER

14                          - - -

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22                          ANDERSON REPORTING SERVICES, INC.

23                          3040 Riverside Drive, Suite 125

                          Columbus, Ohio 43221

24                          (614) 326-0177

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9 Commission.

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16 - - -

17 BOARD MEMBERS:

18 John Timmerman, Chairperson  
19 Darrin Rehus, Vice Chairperson  
20 Deb Stacy, Secretary  
21 Dave Evans  
22 Clara Pargeon

23 - - -

P R O C E E D I N G S

BE IT REMEMBERED THAT, on the 15th day of April, 2024, this cause came on for hearing before the Allen Township Zoning Commission; and the parties appearing in person and/or by counsel, as hereinafter set forth, the following proceedings were had:

- - -

CHAIRPERSON TIMMERMAN: I'll call this meeting to order. We'll do a roll call first.

Dave Evans.

MR. EVANS: Here.

CHAIRPERSON TIMMERMAN: Clara, not here.

Darrin Rehus.

MR. REHUS: Here.

CHAIRPERSON TIMMERMAN: Deb Stacy.

SECRETARY STACY: Here.

CHAIRPERSON TIMMERMAN: And John Timmerman here.

SECRETARY STACY: So I'll read the minutes from April 11. Attendance, Dave Evans, Clara Pargeon, Darrin Rehus, Deb Stacy and John Timmerman. Deb Stacy, Township Commission Secretary, read the April 9, 2024, minutes.

Motion 2404-7M, Clara Pargeon moved to

1 approve the Allen Township Zoning Commission minutes  
2 from the April 9, 2024, meeting. Darrin Rehus moved  
3 to second the motion. The motion passed.

4 On April 9, 2024, John Timmerman made a  
5 motion to approve the April 2, 2024, minutes. Dave  
6 Evans seconded the motion. The motion passed.

7 This information was inadvertently omitted  
8 from the April 9, 2024, minutes; thus, this  
9 information is contained here for clarification.

10 Cindy Land, Assistant County Prosecutor,  
11 passed out a public records request to the members of  
12 the Allen Township Zoning Commission dated April 3,  
13 2024, from Zeiger, Tigges & Little law firm, which  
14 represents Jereme Kent, CEO of One Energy.

15 Ms. Land also informed Allen Township  
16 Zoning Commission that Jereme Kent/One Energy made  
17 accusations against the Allen Township Zoning  
18 Commission alleging that the Allen Township Zoning  
19 Commission coordinated loud noise and disruption  
20 during the April 2, 2024, Allen Township Zoning  
21 Commission meeting.

22 This slanderous allegation was made on the  
23 Allen.com website. Members of -- on the Allen  
24 Township Zoning Commission replied to this accusation

1 by stating that there was no coordinated effort on  
2 behalf of the Allen Township Zoning Commission to  
3 promote noise during the meeting. In fact, John  
4 Timmerman, chairman of the Allen Township Zoning  
5 Commission, asked people to decrease the volume of  
6 their conversations during this Allen Township Zoning  
7 Commission meeting on April 2, 2024.

8 Deb Stacy and Allen Township Zoning  
9 Commission members stated at the April 11, 2024 -- I  
10 guess I should put "meeting" -- I have no control  
11 over what people say and do, unquote.

12 The Allen Township Zoning Commission  
13 thoroughly reviewed information as contained in  
14 Article III zoning districts and map of the Allen  
15 Township -- of the Allen Township County, Ohio,  
16 proposed zoning resolution. During the Allen  
17 Township Zoning Commission meeting, guests were  
18 invited to make comments and offer input on numerous  
19 topics pertaining to zoning.

20 Motion 24-04-8M: Clara Pargeon moved to  
21 adjourn the meeting. Dave Evans seconded the motion.  
22 Motion passed.

23 So if you want to sign that. And I'll  
24 sign this, and we probably should date as well.

1 Today's the --

2 MS. LAND: I added the date on the last  
3 week's.

4 SECRETARY STACY: Okay. I'll let you put  
5 the date. So that will be our official copy.

6 MS. LAND: I'll copy it after the meeting,  
7 and you can keep the original.

8 SECRETARY STACY: Okay. And does anyone  
9 have a motion to approve?

10 CHAIRPERSON TIMMERMAN: I move to approve  
11 the minutes.

12 MR. REHUS: I second.

13 SECRETARY STACY: And Darrin seconded.  
14 Everyone in favor say, "Aye."

15 (Vote taken.)

16 SECRETARY STACY: Motion passed.

17 All right. The Business is out of the  
18 way.

19 MS. LAND: I have a couple of housekeeping  
20 business things to take care of real quick. Here are  
21 the originals of the public records request that you  
22 received that we answered that you had the last time  
23 that I showed you the guys the answer. And also,  
24 there was another public records request that I

1 answered today as well. Let me see here. There's a  
2 copy of the records.

3 SECRETARY STACY: And this will all go  
4 into our --

5 MS. LAND: Yes. Uh-huh. I didn't bring  
6 that one to you guys for your approval before I sent  
7 it because the response was, "We don't have anything  
8 you're asking for."

9 CHAIRPERSON TIMMERMAN: Is all of that a  
10 continuation of the first at this moment?

11 MS. LAND: No.

12 CHAIRPERSON TIMMERMAN: This is the  
13 second?

14 MS. LAND: This is the second one.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MS. LAND: Also, I handed out to each of  
17 you three documents. One of them are some  
18 definitions we had discussed earlier. I found  
19 some -- You can pick those apart. I just sort of  
20 Googled and researched and tried to find different  
21 places where they identified or defined those things.

22 And then the other section is -- I put --  
23 One of the other documents is a code section that  
24 identifies what -- how the code defines Agriculture.



1 And the third one is just your list of your people so  
2 you all have everybody's info.

3 SECRETARY STACY: Okay.

4 CHAIRPERSON TIMMERMAN: Okay. You want to  
5 read these now, the --

6 MS. LAND: Definitions?

7 CHAIRPERSON TIMMERMAN: Start there?

8 MS. LAND: You don't have to read through  
9 the code section. That's just for you guys to look  
10 back on in reference because it's kind of extensive.  
11 And I think -- When I read it, I'm a little surprised  
12 about the number of things in there, so I figured you  
13 guys would want to see it.

14 CHAIRPERSON TIMMERMAN: And for clarity, I  
15 assume you're with the --

16 MS. LAND: Oh, this is Matt Cordonnier  
17 from Hancock Regional Planning.

18 CHAIRPERSON TIMMERMAN: Modular home:  
19 Homes built in a factory to the local building code,  
20 trucked to the site where sections are craned in  
21 place and installed on a permanent foundation. Okay.

22 Mobile homes: Housing built in a factory  
23 and first sold prior to July 1, 1980.

24 SECRETARY STACY: That's part of the

1 definitions.

2 MS. LAND: Yeah. Because after 1980, they  
3 became manufactured homes.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: And it was only --

6 CHAIRPERSON TIMMERMAN: So they're the  
7 same thing, just different titles?

8 MS. LAND: Yeah. They don't use "mobile  
9 homes" anymore. They use "manufactured homes."

10 CHAIRPERSON TIMMERMAN: Manufactured  
11 homes: Housing built in a factory and first sold on  
12 or after July 1, 1980. Should there be anything more  
13 to what they are?

14 MS. LAND: Oh, yeah. I think what we  
15 currently have on manufactured and mobile homes are  
16 probably better than this; but I wanted to make sure  
17 that we identify that there's a difference between  
18 modular, mobile and manufactured. And I don't think  
19 "modular" needs to be identified any different than a  
20 stick built home because they are stick built homes,  
21 just not on site.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. LAND: So -- But manufactured homes  
24 can be double-wide. They still come in on a chassis

1 with wheels and a tongue. And mobile homes are  
2 usually single-wide.

3 CHAIRPERSON TIMMERMAN: So is it your  
4 intention to add these three pieces to the  
5 definitions and copy what we have for either mobile  
6 or manufactured --

7 MS. LAND: Yeah. I'll integrate --

8 CHAIRPERSON TIMMERMAN: -- these dates in  
9 with that?

10 MS. LAND: I can't remember what we have  
11 on mobile and manufactured homes. But I don't think  
12 we have a modular home at all.

13 CHAIRPERSON TIMMERMAN: Right.

14 MS. LAND: And I think there was some  
15 confusion in the discussion when you first talked  
16 about it, talking about modular and manufactured.  
17 And I think they were reversed. I think what -- Like  
18 Clara was referring to is actually manufactured home,  
19 not modular. So we need to make sure that we have  
20 those identified because they're treated somewhat  
21 differently because mobile homes and manufactured  
22 homes are treated as chattel, personal property  
23 instead of real property unless they are -- they  
24 abandon their stature as being moveable and are

1 permanently placed on foundation. Then they become  
2 real estate. But the modular home is always real  
3 estate.

4 CHAIRPERSON TIMMERMAN: Yes. Okay.

5 MS. LAND: It has to do with how they're  
6 taxed and how they're built.

7 CHAIRPERSON TIMMERMAN: Okay. Sanitary  
8 landfill: Pits, cells, trenches, mounds or other  
9 sites sealed with impermeable synthetic bottom liners  
10 where waste is isolated to the rest of the  
11 environment. Okay.

12 MS. LAND: I don't have anything to --

13 SECRETARY STACY: Well, I'm just somewhat  
14 familiar with what's going on with the WIN Waste  
15 landfill over there. And the reason they want -- the  
16 landfill wants a borrow pit is to get the clay from a  
17 100-plus acre farm. And it just made me think  
18 that -- Is clay equivalent to an impermeable  
19 synthetic bottom liner?

20 MS. LAND: No. EPA doesn't allow that  
21 anymore. They used to be able to pack the cell or  
22 the hole that they're digging with clay. Now they  
23 have to dig the hole and put a synthetic liner in it.  
24 And they have -- What they want their dirt for is --

1 The EPA requires daily cover. So at the end of every  
2 day, they have to go in and put a couple inches of  
3 dirt over and pack it down so nothing blows away,  
4 nothing stinks, nothing gets out. That's what make  
5 it a sanitary landfill.

6 SECRETARY STACY: Oaky.

7 MS. LAND: I contemplated that in there,  
8 that it requires daily cover. Do you want me to add  
9 that part?

10 SECRETARY STACY: Yeah.

11 MS. LAND: Okay.

12 CHAIRPERSON TIMMERMAN: You good there?  
13 Junkyard.

14 MS. LAND: Just before you do that,  
15 definition of junkyard, I took it straight out of the  
16 code. So --

17 SECRETARY STACY: Okay.

18 CHAIRPERSON TIMMERMAN: Okay. Junkyard  
19 means an establishment or place of business that is  
20 maintained or operated for the purpose of storing,  
21 keeping, buying or selling junk. For the purposes of  
22 Allen Township zoning, junkyard includes scrap metal  
23 processing facilities that are located within 1,000  
24 feet of the nearest edge of right-of-way of a highway

1 in the -- in the interstate or primary system.

2 MS. LAND: This came from a federal  
3 statute. So they're only really seriously caring  
4 about their roads which are highways and interstates.  
5 Do you want to adjust this to be more township  
6 friendly?

7 CHAIRPERSON TIMMERMAN: I would think.

8 MS. LAND: Okay. So it would be the  
9 closest county or township road or of a highway,  
10 interstate or primary system. That pretty much  
11 covers all kinds of roads.

12 SECRETARY STACY: I would think so, yes.

13 CHAIRPERSON TIMMERMAN: Okay. Anything  
14 else there?

15 Artificial pond: Any manmade body of  
16 water that retains water on the ongoing basis with a  
17 surface area greater than 500 square feet or more,  
18 with a depth of no less than six feet at its deepest  
19 point.

20 MS. LAND: There's a goof. I'll take out  
21 those spaces.

22 SECRETARY STACY: Oh, okay.

23 MS. LAND: This is a new definition  
24 that -- Most township zoning doesn't have a

1 definition of what a pond is. However, after that  
2 issue out there that happened in Washington Township,  
3 we discovered it probably does need to have some sort  
4 of definition added to it so that you don't get 100  
5 or 96 acre, thirty-foot deep hole and they call it a  
6 pond. So we are making limitations on it, of what's  
7 permitted. And this is what they're using.

8 CHAIRPERSON TIMMERMAN: Any idea where the  
9 500 square feet came from? Just choosing a size?

10 MS. LAND: Randy Bose was very involved in  
11 helping to sort this out. And he's made probably  
12 three-quarters of the ponds in Hancock County. So I  
13 think it was a lot of his input, and we didn't really  
14 question that much. He's on the zoning commission.

15 SECRETARY STACY: He knows what he's  
16 talking about.

17 MS. LAND: So other than that, no, I don't  
18 know where it came from.

19 CHAIRPERSON TIMMERMAN: Okay. And you  
20 have greater than 500 square feet or more. Isn't  
21 that kind of redundant, greater than 500 or more?

22 MS. LAND: Yeah. I didn't write this;  
23 Regional Planning did.

24 CHAIRPERSON TIMMERMAN: So it's copied

1 straight from theirs?

2 MS. LAND: I copied it straight from  
3 theirs. Should it be "not greater"? No. It would  
4 have to be greater than. 500 is too tiny. That's a  
5 puddle.

6 MR. CORDONNIER: Yeah. Greater than 500  
7 feet.

8 MS. LAND: You can take out the "or more."

9 CHAIRPERSON TIMMERMAN: Borrow pit: An  
10 area excavated or to be excavated --

11 MS. LAND: It's supposed to be "from."

12 CHAIRPERSON TIMMERMAN: -- from which soil  
13 and unconsolidated materials are removed or extracted  
14 below the grade level of the property which existed  
15 before any overbuilding of the site occurred for any  
16 purpose including, but not limited to, for sale,  
17 exchange or for use as fill for an activities --

18 MS. LAND: It's "any activities."

19 CHAIRPERSON TIMMERMAN: -- any activities,  
20 including, but not limited to, landscaping, building  
21 construction, levies, dams, highway construction or  
22 maintenance or low lying areas whether on site  
23 or -- on so site --

24 MS. LAND: On site.



1 CHAIRPERSON TIMMERMAN: -- or off site.

2 MS. LAND: Okay. My typing is not great,  
3 and I didn't have a lot of time to do a lot of  
4 proofing. It's a draft.

5 CHAIRPERSON TIMMERMAN: That's the purpose  
6 of this, figure out what we want it to say.

7 SECRETARY STACY: Would we also want to  
8 put "landfill in" there? I guess we're -- or not. I  
9 mean, we're -- I don't think we're going to have a  
10 district that allows for a landfill.

11 MS. LAND: Heavy Industrial would probably  
12 have to allow for a landfill. But I'm not sure  
13 that -- Well, you can always exclude them everywhere.  
14 There's some rationale for excluding them in that  
15 Hancock County is its own solid waste district. It's  
16 a single landfill solid waste district.

17 So in order to have another one, they  
18 couldn't even just come to you and say, "We fit in  
19 your zoning. We want a landfill." They would have  
20 to go through the solid waste district and get it as  
21 well, which is not likely. So --

22 SECRETARY STACY: Okay.

23 CHAIRPERSON TIMMERMAN: It's not likely to  
24 be able to create a second landfill? Is that what

1 you said?

2 MS. LAND: The solid waste district most  
3 likely would likely never allow it.

4 CHAIRPERSON TIMMERMAN: So they'll just  
5 keep adding to the current one?

6 MS. LAND: Uh-huh. And operating it  
7 according to EPA standards like we do.

8 CHAIRPERSON TIMMERMAN: Surface area for a  
9 pond or borrow pit is the measurement taken from the  
10 highest point to be excavated, able to retain water.

11 SECRETARY STACY: What do they mean by  
12 highest point?

13 MR. EVANS: Is that supposed to have a  
14 square footage to the highest point?

15 MS. LAND: There wasn't in the one that I  
16 got it from. For the highest point, there's  
17 questions sometimes do you measure from where the  
18 water actually is; or do you measure it from the  
19 bottom of the bank because a lot of them have built  
20 up bank on them. And the issue is -- what this is  
21 for is if the pond were completely full of water  
22 before it would start spilling over, that's the point  
23 they measure for surface area, the very highest it  
24 can go before it leaves its banks.

1           The borrow -- or -- The borrow pit. But  
2 the pond they're proposing in Washington Township has  
3 one side that's about 20 feet higher than the other.  
4 So its surface area would be measured from where this  
5 lowest one is over to the cliff instead of any other  
6 way.

7           SECRETARY STACY: That makes sense.

8           MS. LAND: That's also the measurements  
9 taken for setbacks. So if you have to have  
10 a -- whatever setbacks you have in certain areas for  
11 ponds, the measurement comes from the top of the  
12 highest point where water can come. That's the  
13 surface area that you -- definition of surface area  
14 gives you where you measure from.

15           SECRETARY STACY: Okay. Are there any  
16 other definitions that you were looking for or  
17 thought you might need? I'd have to check through my  
18 notes. If I come across something, I'll make a note.

19           MR. EVANS: We talked about define  
20 recreational facilities.

21           MS. LAND: Yeah. I looked at that, and I  
22 couldn't figure out how to do that. That's something  
23 you guys are going to have to brainstorm out. They  
24 want to identify if they should have more than one.

1 First of all, a definition of what a recreational  
2 facility is and if there should be different levels  
3 of recreational facilities, you know, from go-kart  
4 tracks down to soccer fields.

5 MR. CORDONNIER: So City of Findlay, we  
6 differentiate between, essentially, commercial  
7 recreational facilities, for-profit recreational  
8 facilities and essentially nonprofit/public parks.  
9 So a golf course is a public -- any golf course is  
10 often called out separately. But that's -- The City  
11 of Findlay, they're broken down into noncommercial  
12 recreational facilities and commercial recreational  
13 facilities.

14 MS. LAND: Okay. How would that apply  
15 here?

16 MR. CORDONNIER: Huh?

17 MS. LAND: How would they end up having  
18 that apply?

19 MR. CORDONNIER: Let's say if you have an  
20 Agricultural District and, like, a Single-Family  
21 District, commercial recreational facilities would  
22 not be a permitted use; but noncommercial  
23 recreational facilities could be a potential  
24 permitted use. So -- And Agriculture or

1 Single-Family in the City of Findlay, you can do golf  
2 course, game preserve, country clubs, riding stables,  
3 things like that. But you couldn't do a go-kart  
4 track or -- Anything that's essentially for profit,  
5 that's kind of how it's broken down.

6 Noncommercial could be swimming pool, et  
7 cetera. But amusement parks, carnivals, et cetera,  
8 could be Commercial. So that's how it's broken down  
9 in the City of Findlay.

10 MS. LAND: What about an indoor soccer or  
11 baseball facility, like the dome things they have up  
12 in Harrisburg?

13 MR. CORDONNIER: If it was part of -- If  
14 it was City run or, like, YMCA run, I would consider  
15 that noncommercial potentially. If it's -- I don't  
16 love it. And caveat, recreational facilities are  
17 tough to define.

18 MS. LAND: Definitely. That was a --

19 MR. CORDONNIER: But if it's a -- Like the  
20 one like in Rossford I'd say is a for-profit  
21 recreational -- I would consider that a commercial  
22 recreational facility. And I wouldn't just give a  
23 carte blanche agriculture permitted use as  
24 recreational facilities. I think you're much better

1 off listing the few that you're okay with --

2 MS. LAND: Under conditional uses.

3 MR. CORDONNIER: -- golf courses, public  
4 parks, something like that. And then recreational  
5 facilities in general I'd put under C-1 or C-2 and --

6 MS. LAND: C? We don't have a C.

7 MR. CORDONNIER: Or B-1, B-2. Findlay  
8 Country Club, that's zoned Single-Family. Shady  
9 Grove I think is also Single-Family.

10 MS. LAND: Did Shady Grove -- Is it  
11 pre-zoning? It's been there a really long time. I  
12 think it's probably pre-zoning for Marion Township.

13 MR. CORDONNIER: It's in the City of  
14 Findlay.

15 MS. LAND: Shady Grove is?

16 MR. CORDONNIER: I believe so, because  
17 across the street is also. Eastern Woods is in the  
18 City of Findlay.

19 MS. LAND: Yeah. But --

20 MR. CORDONNIER: But even if it  
21 predates -- I mean, it predates --

22 MS. LAND: Eastern Woods is not in the  
23 City?

24 MR. CORDONNIER: No.

1 MS. LAND: And they're between the City  
2 and Shady Grove?

3 MR. CORDONNIER: It's in the City. So,  
4 yeah, across the street east of 237 -- There's  
5 nothing east of 237 or south of Tiffin Avenue that's  
6 in the City. But north of Tiffin Avenue -- Eastern  
7 Woods is most definitely in the City. And then  
8 Brookstone is not in the City. You know, it's hit or  
9 miss.

10 Shady Grove -- I mean, just for  
11 an -- Shady Grove -- and this is pertinent to Allen  
12 Township obviously. Shady Grove predates zoning, so  
13 they can continue as a golf course as long as they  
14 wish; but if they make substantial changes or  
15 improvements, they still -- they have to comply to  
16 the current zoning.

17 MS. LAND: We've been discussing the fact  
18 that when they get to grandfathered or nonconforming  
19 uses that they have to determine what they would  
20 consider amount of either destruction and able to  
21 rebuild versus expansion, if there's any, because  
22 there's a lot of different ways around the townships  
23 that they do that.

24 MR. CORDONNIER: Yeah. City of Findlay is

1 75 percent. And even if it is -- even if it is  
2 wholly destroyed, you have two years to reestablish a  
3 nonconforming use or nonconforming structure. So you  
4 have a house that's burnt down. It doesn't meet any  
5 of the setbacks. You have two years to build that  
6 house back where it sat; and if you fail to do so in  
7 two years, then the next house has to meet all the  
8 setbacks.

9 MS. LAND: That's -- State statute  
10 identifies two years is the minimum that we can allow  
11 them before we can take it back. You can decide on  
12 more than two years if you want, but you can't decide  
13 on fewer before it loses its grandfather status.

14 Okay. Are you guys ready to --

15 MR. EVANS: [Inaudible.]

16 MS. LAND: Yeah. Can we --

17 MR. EVANS: Where are we at?

18 MR. CORDONNIER: It's Page 20.

19 MS. LAND: Are we going to make a  
20 list -- By the next time think of a list of  
21 recreational facilities, any that you can think of;  
22 and we'll probably figure out how to put them  
23 somewhere, like swim clubs where you have a pool that  
24 you join and have memberships to, golf clubs or a



1 golf course, indoor or outdoor soccer and baseball  
2 facilities kind of like we have out here. But this  
3 is publicly owned, so that's a little bit different  
4 and clearly predates zoning.

5 MR. CORDONNIER: And then one of the ways  
6 we helped conquer that was just creating a parks  
7 zoning district, a parks zoning district, rather than  
8 trying to look at is it for-profit, is not nonprofit,  
9 et cetera.

10 MS. LAND: What do they call them now  
11 instead of thoroughfares when we had the change in  
12 the --

13 MR. CORDONNIER: Oh, the thoroughfare  
14 plan?

15 MS. LAND: Yeah. The access management.  
16 They no longer refer to them as thoroughfares that  
17 are --

18 MR. CORDONNIER: I can't think of it  
19 either.

20 MS. LAND: I can't remember it. I'll  
21 check that out.

22 MR. CORDONNIER: Is there an extra paper  
23 copy by chance?

24 MS. LAND: I don't think so. Everybody

1 kind of made their own.

2 SECRETARY STACY: What page?

3 CHAIRPERSON TIMMERMAN: Page 20.

4 Everybody ready? Does anybody want to read?

5 MR. EVANS: I'll read.

6 CHAIRPERSON TIMMERMAN: Awesome.

7 MR. EVANS: Article VIII, B-1, Local  
8 Business District, Section 800, Intent: The B-1  
9 Local Business District is intended to permit those  
10 uses as necessary to satisfy the basic convenience  
11 shopping or service needs of persons residing in  
12 nearby residential areas. The district is intended  
13 to accommodate neighborhood-oriented businesses which  
14 can serve as transitional areas between residential  
15 and higher intensity districts.

16 B-1 districts should typically be located  
17 at intersections of major and/or secondary  
18 thoroughfares as opposed to being applied in a lineal  
19 fashion along major highways.

20 Section 801, Principal uses permitted: In  
21 a B-1 Local Business District, no building or land  
22 shall be used and no building shall be erected unless  
23 for one or more of the following specified uses  
24 unless otherwise provided in this resolution.

1           1. Retail businesses which supply  
2 commodities on the premises such as, but not limited  
3 to, groceries, meats, dairy products, baked goods or  
4 other foods, drugs, dry goods, clothing and notions  
5 or hardware.

6           2. Personal service establishments which  
7 perform services on the premises such as, but not  
8 limited to, repair shops, watches, radio, television,  
9 shoe and, et cetera, tailor shops, beauty parlors or  
10 barbershops, photographic studios and self service  
11 laundries and dry cleaners.

12           3. Dry cleaning establishments or pick-up  
13 stations dealing directly with the consumer, central  
14 dry cleaning plant servicing more than one retail  
15 outlet are prohibited.

16           4. Business establishments which perform  
17 services on the premises such as, but not limited to,  
18 banks, loan companies, insurance offices and real  
19 estate offices.

20           5. Business and professional offices and  
21 services.

22           6. Other uses similar to the uses above.

23           7. Accessory structures and uses  
24 customarily incident to the above permitted uses.

1 CHAIRPERSON TIMMERMAN: So on No. 1, it  
2 says, like, dry goods. Is that really a thing  
3 anymore? Like, are we smarter to leave it in or take  
4 it out or --

5 MS. LAND: Identify it as something  
6 different?

7 MR. CORDONNIER: So do you have a B-2?

8 CHAIRPERSON TIMMERMAN: No.

9 MR. CORDONNIER: Okay. So my -- my  
10 initial thought is: Walmart is a retail store. So  
11 if your -- if your -- if I understand B-1 -- to me,  
12 the definition and the purpose of B-1 is more local  
13 type things. And so what I've seen communities do is  
14 just retail services and then put a square footage  
15 limitation on it, because Walmart comes in -- I mean,  
16 a Walmart is large but it's more regional, so it  
17 might not fit what you want for B-1.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MR. CORDONNIER: So what I've seen, retail  
20 services limited to up to 40,000 square feet or  
21 30,000 square feet, something like that. So that  
22 would be something to consider.

23 And then my initial thought on that is:  
24 Do you want to have fast food restaurants with

1 drive-thrus for any type of restaurant? The City of  
2 Findlay, from what we do, restaurants are permitted;  
3 drive-thrus are not. So if you have a restaurant  
4 like -- Is it the Black Horse --

5 MS. LAND: Dark Horse.

6 MR. CORDONNIER: Dark Horse. Close. So  
7 Dark Horse doesn't have a drive-thru, correct?

8 CHAIRPERSON TIMMERMAN: Correct.

9 MR. CORDONNIER: So it would fit in C-1,  
10 but McDonald's would have to have C-2 with the  
11 drive-thru. So that's kind of the  
12 differentiating -- differentiating -- I can't talk.  
13 That's how they kind of differentiate between kind of  
14 the high volume, high, you know, uses versus kind of  
15 the moderate volume.

16 SECRETARY STACY: That makes sense.

17 CHAIRPERSON TIMMERMAN: Make those  
18 changes. The question becomes the square footage on  
19 the -- not Walmart. So you said -- Is there like  
20 a --

21 MR. CORDONNIER: I'd be happy to look. I  
22 mean, I would think -- I think -- because we looked  
23 at this for small box retail stores, Dollar Generals,  
24 99 cent stores, et cetera. I think between 20 and

1 40,000 square feet. I'd like to just pull up -- when  
2 I get to the office, pull up a couple different uses  
3 to see what their square footage is and kind of make  
4 an estimate along those lines.

5 MS. LAND: So one would read: Retail  
6 businesses which supply commodities on the premises  
7 doing business in a facility no larger than 30,000  
8 square feet.

9 MR. CORDONNIER: Yeah.

10 MS. LAND: And the rest of that would be  
11 eliminated. Does that work for you guys?

12 SECRETARY STACY: I think it makes it  
13 easier to understand because without that, then  
14 you're sorting through is it doing this, this, this,  
15 this.

16 CHAIRPERSON TIMMERMAN: Right.

17 MS. LAND: Then it's going to be based on  
18 the size of the facility versus what it is.

19 MR. EVANS: It would be kind of nice to  
20 know, like, for example, what is 30,000? When we see  
21 a Dollar General, what size is that?

22 MR. CORDONNIER: Yeah. Right. I can -- I  
23 can bring some examples.

24 MR. EVANS: I'm thinking what's 30,000?

1 What's 40,000?

2 MR. CORDONNIER: That's where real life  
3 examples, you know -- Aldi Foods is 35,000. You  
4 know, Dollar General is 20,000. I'm just -- A  
5 Walmart is -- I know we -- I can't let things out of  
6 the bag. Anyways, generally the big box retail  
7 stores are 100,000 plus.

8 SECRETARY STACY: Okay.

9 MR. CORDONNIER: Bars, nightclubs,  
10 taverns, C-2 or B -- Sorry. B-2 or B-1 would be --

11 MS. LAND: Why not B-3?

12 MR. CORDONNIER: What's your B?

13 MS. LAND: General Business. It's more of  
14 the things that you were talking about, like C-3.

15 MR. CORDONNIER: Yeah. I'll -- I  
16 apologize. I'll -- The next meetings I'll have  
17 pre-looked over. And this was a little last minute.  
18 So --

19 CHAIRPERSON TIMMERMAN: So did you add the  
20 restaurants into B-1?

21 MS. LAND: I didn't add anything other  
22 than what I just read to you.

23 CHAIRPERSON TIMMERMAN: Square footage?

24 MS. LAND: Yeah. And what do you want for

1 the restaurants?

2 CHAIRPERSON TIMMERMAN: He suggested  
3 basically restaurants that don't have drive-thrus.

4 MR. CORDONNIER: So restaurants/no  
5 drive-thru or pick up windows permitted.

6 SECRETARY STACY: That works. What did  
7 that say again? Restaurants with no pick-up windows?

8 MR. CORDONNIER: No drive-thru or pick-up  
9 windows permitted.

10 MS. LAND: Okay.

11 MR. CORDONNIER: Do you want gas stations?

12 SECRETARY STACY: I don't think that's --

13 MR. CORDONNIER: My recommendation was put  
14 those in the more intense categories.

15 SECRETARY STACY: Yeah. Yes. Yes. Yes.

16 MR. CORDONNIER: Gas stations aren't  
17 getting smaller. They're getting --

18 SECRETARY STACY: They're getting larger,  
19 and there's a whole lot of volume of traffic. So I  
20 don't think that's fitting with what we're trying to  
21 establish here.

22 MR. CORDONNIER: Medical facilities.

23 CHAIRPERSON TIMMERMAN: I would say in a  
24 different district on those as well.



1 MS. LAND: In the B-2, they have office  
2 buildings for executive, administrative,  
3 professional, accounting, writing, clerical,  
4 stenographic, drafting and sales. Medical office is  
5 facilities for human care such as hospitals,  
6 sanitariums, rest and convalescent homes, banks,  
7 credit unions, savings and loan associations and  
8 similar uses. Barber shops, beauty shops and health  
9 spas. So that's the 10 or 11 we're looking at in  
10 B-2.

11 MR. EVANS: We showed the beauty parlors  
12 and barbershops in B-1.

13 SECRETARY STACY: I was going to ask the  
14 same thing.

15 MR. EVANS: And we have business and  
16 professional offices in B-1.

17 MR. CORDONNIER: You'll often  
18 see -- You'll often see uses permitted in more than  
19 one area.

20 MS. LAND: But in the Business Districts,  
21 I don't like -- Like in the Residential Districts,  
22 what's in the least restrictive can come into the  
23 most restrictive. Like, if you want to put a  
24 single-family home in a Multifamily area, it's not

1 going to be denied. But in these, in Business,  
2 unless we put it in both, we really don't want them  
3 going there because then they mix up our districts  
4 and they put things that can really hinder the  
5 neighbors or cause sort of a bump in the road kind of  
6 thing.

7 You want -- You don't want to put  
8 the -- It's all right to have professional services  
9 in both. But you wouldn't want to have some of these  
10 other things in the bigger districts where they have  
11 more intense things. That making sense? Same way  
12 with Industrial. Sometimes you don't want the  
13 different kinds of industrial mixing together because  
14 it's just -- it gets to be messy.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MR. CORDONNIER: You -- That's called  
17 pyramidal zoning, and you don't have to allow that  
18 per se.

19 MS. LAND: It's not a big problem to allow  
20 it in the Residential Districts, but it does get to  
21 be more of a problem if you allow it in the Business  
22 areas. That would be like everything that's allowed  
23 in B-1 is also allowed in B-2 plus these things.  
24 Then you get to B-3, everything in 1 and 2 is allowed

1 in B-3, plus these extra things. And then B-3 -- You  
2 make everything B-3, and you just have a hash and why  
3 do you have more than one district?

4 SECRETARY STACY: Right.

5 MS. LAND: You can if you want to. Or you  
6 can identify things that you would not permit in  
7 there, everything except X, Y and Z in B-1 can be in  
8 B-2. You can start out with it being that things are  
9 permitted in all of them; and if you find that it's  
10 getting to be kind of cumbersome or they're falling  
11 all over each other and not really organizing and  
12 developing in an orderly manner, like is what we want  
13 zoning to do, then you can go in and do some more  
14 defining about what can be in each district.

15 CHAIRPERSON TIMMERMAN: It looks like B-3,  
16 the first one says: Any retail business or service  
17 establishment permitted in B-2. So you're saying it  
18 might be better to --

19 MS. LAND: It's up to you. That's how it  
20 was written the last time. It's less -- less  
21 restrictive because they have more opportunity for  
22 anything that's in B-2, more places for it to be.

23 MR. CORDONNIER: What's --

24 MS. LAND: B-3 is going to B-1.

1 MR. CORDONNIER: What's B-2's title?

2 Sorry.

3 CHAIRPERSON TIMMERMAN: Community Business  
4 Districts.

5 MR. EVANS: B-1 is Local, and B-2 is  
6 Community?

7 MS. LAND: And B-3 is General.

8 MR. CORDONNIER: So this -- this goes to  
9 kind of the level that you want to kind of separate  
10 the two. You know, just at a glance, I'm used to two  
11 categories of -- of Business, Local and then General.  
12 And then -- then we have downtown, which is our C-3,  
13 which is a whole different animal.

14 MS. LAND: We don't have any of that.

15 MR. CORDONNIER: We won't -- we won't have  
16 that. So I'm just wondering if we need three  
17 classifications.

18 SECRETARY STACY: Maybe we just need two.

19 MR. CORDONNIER: It's something to think  
20 about. I mean, I don't know that we'll answer that  
21 today.

22 MS. LAND: We did some combining the last  
23 time of the Residential Districts. They found that  
24 they weren't all -- didn't make sense.

1 MR. CORDONNIER: In my mind, unless -- You  
2 know, you will see and -- and you know, Columbus  
3 might have six different Business. You know, but  
4 this isn't Columbus. So my thought is: I would try  
5 to just get it to two, local, which is kind of your  
6 local, and then general is your Walmarts and your  
7 Sam's Clubs and gas stations and all that.

8 MS. LAND: The Local Community could  
9 probably be combined.

10 MR. CORDONNIER: Uh-huh.

11 MS. LAND: And then a general would be its  
12 own -- It does -- it does seem to lean towards the  
13 more -- the bigger kind of things.

14 MR. CORDONNIER: Yeah.

15 SECRETARY STACY: I think that makes  
16 sense.

17 MR. EVANS: So do you have B-1 and B-3?

18 MS. LAND: B-1 and B-2.

19 MR. EVANS: Okay. Because I didn't know  
20 that B-2 stayed.

21 MS. LAND: Right.

22 MR. CORDONNIER: And I agree, 1 and 2  
23 should be combined and then -- 2 should be combined  
24 into 1, and 3 should be made 2.

1 MS. LAND: My notes -- I give my notes to  
2 my secretary, and she'll hit me. She gives me the  
3 look. It's terrible.

4 MR. CORDONNIER: So just some other uses  
5 that -- daycare centers, I think they would be fine  
6 in B-1.

7 MS. LAND: What about in residential  
8 areas, daycare centers? They're one of the things  
9 that you'll have a permitted use?

10 MR. CORDONNIER: So -- I'm trying to  
11 think. There's a type A and a type B. I believe  
12 type A is kind of what's considered -- the State  
13 considers in-home, and I think you're capped at six  
14 kids. And we allowed that in Residential, but it's a  
15 conditional use.

16 MS. LAND: Right.

17 CHAIRPERSON TIMMERMAN: The condition  
18 being the six kids?

19 MR. CORDONNIER: So have you guys been  
20 through the conditional uses at least?

21 MS. LAND: Slightly. But not -- It's one  
22 of those things they're going to get to later and  
23 come back to each of these sections with it.

24 MR. CORDONNIER: So -- And we -- we -- So

1 conditional uses, there's -- I guess there's  
2 two -- two ways of thinking of it. One, you actually  
3 list conditions. But I don't like that personally  
4 because -- We came across this all the time. You  
5 have a conditional use, and they met those two  
6 conditions. And you have to think of all the  
7 conditions that you kind of want beforehand. So what  
8 we just -- what we just went to is essentially there  
9 are -- the Ohio Supreme Court, through different  
10 cases, kind of said these are the five or six  
11 criteria that you use when considering a conditional  
12 use. So you don't -- You know, you put your  
13 conditional use, and then you review it towards these  
14 five or six broad -- is it health, safety, welfare,  
15 does it fit within the context of the neighborhood,  
16 da, da, da, da.

17 I think it gives the board more  
18 flexibility to look at each situation; and rather  
19 than just saying the conditional use, daycare shall  
20 be limited to six kids, well, there could be a whole  
21 bunch of other factors. So that will be my  
22 recommendation. We'll get the conditional uses, and  
23 then I'll supply those -- those statements. And then  
24 if it's all the conditional uses --

1 CHAIRPERSON TIMMERMAN: Is that pretty  
2 much universal, the conditional uses? Like --

3 MR. CORDONNIER: It is.

4 CHAIRPERSON TIMMERMAN: -- it carries  
5 throughout everything?

6 MR. CORDONNIER: Yeah. And I didn't do a  
7 great job of articulating. They're in here. But  
8 that -- that was something that bothered me a long  
9 time, because we'd have five things for a conditional  
10 use for a gas station, and they met all five of  
11 those, and it was still a horrible development, you  
12 know. So -- And then I feel like you're in a tricky  
13 situation that the person asking for it is like, "We  
14 met all your conditions."

15 CHAIRPERSON TIMMERMAN: Right.

16 MR. CORDONNIER: So we removed all those  
17 conditions out and just all conditional uses shall be  
18 evaluated on these five or six criteria.

19 SECRETARY STACY: Okay.

20 MR. CORDONNIER: So -- And then we also  
21 require all conditional uses to go to the Planning  
22 Commission. So that was a really good step.

23 SECRETARY STACY: Okay.

24 MR. CORDONNIER: But that's -- Kind of



1 sidetracks just a little bit there. But when you're  
2 thinking about of permitted uses -- the uses we want  
3 to permit, things you're a little more on the fence  
4 on you can put in the conditional category. You have  
5 a little more oversight.

6 MS. LAND: Do you want to put a permitted  
7 use of a daycare in any of these Business Districts?  
8 The large facilities, not in-home kind of things.

9 CHAIRPERSON TIMMERMAN: I mean, I think it  
10 probably fits better into B-1 than what we wanted to  
11 create in B-2. Does everyone agree with that?

12 MS. LAND: Yeah. I agree with that.

13 And do you want to permit something other  
14 than an in-home in a residential area, be able to  
15 have the daycare in an area that's residential but  
16 not business? We have schools, and daycares look an  
17 awful lot like a little school.

18 MR. CORDONNIER: We -- we put them as  
19 conditional uses, so we have an opportunity to look  
20 at parking, traffic flow, context of the  
21 neighborhood. So I like them as a conditional use.  
22 We have them come through every once in a while, you  
23 know, before they set up shop and -- The problem with  
24 daycares is -- not a problem, but it's -- pickup and

1 dropoff creates a lot of coming and going. In some  
2 neighborhoods that might be, you know -- so --

3 CHAIRPERSON TIMMERMAN: I think  
4 conditional makes sense then.

5 MS. LAND: In R-1, or do you want it in  
6 Multifamily Districts?

7 CHAIRPERSON TIMMERMAN: I'd say R-1.

8 MR. CORDONNIER: Does -- The R-1 and the  
9 Multifamily, do they pyramid, Cindy?

10 MS. LAND: Uh-huh.

11 MR. CORDONNIER: Okay. So --

12 MR. EVANS: If it's permitted in R-1, it  
13 would be accepted in Multifamily?

14 MR. CORDONNIER: Yeah. I don't have a --  
15 I don't have an issue with that. Now, someone that  
16 lives on the third floor of an apartment or second  
17 floor probably --

18 CHAIRPERSON TIMMERMAN: But that's why  
19 it's conditional.

20 MS. LAND: But we're talking about the  
21 in-home ones. We're talking about, like, 1 Amazing  
22 Place, those kind of things.

23 MR. EVANS: Is that a good spot for R-1?

24 CHAIRPERSON TIMMERMAN: What's your

1 thoughts?

2 MR. EVANS: So, I mean, it could be  
3 between a couple houses. And we're talking about  
4 bigger ones. I mean, I understand somebody having  
5 one with six or less kids inside their house.

6 MS. LAND: Right.

7 MR. CORDONNIER: So to be clear -- And we  
8 were mixed up a little. In the City of Findlay, the  
9 in-home is a conditional use. You need to  
10 have -- You need to be in the Commercial -- You need  
11 to be in a Commercial or Office District to have a  
12 full-blown dedicated daycare.

13 MS. LAND: So it's -- Okay. So in  
14 Residential, you wouldn't have the -- the big ones?

15 MR. CORDONNIER: Correct.

16 MS. LAND: And that's my question, do we  
17 want those?

18 MR. CORDONNIER: I would say no.

19 SECRETARY STACY: I would say no too.

20 MR. CORDONNIER: And then in-home daycare  
21 I would put as a conditional use.

22 MS. LAND: Like, what about in the  
23 Multifamily? Do you want to, in that area, allow the  
24 full freestanding non in-home daycares?

1                   SECRETARY STACY: I kind of think it would  
2 be okay.

3                   MR. EVANS: Because it's more of -- It  
4 seems like it's more of a semi-commercial area as  
5 opposed to woods or something. That's going to be  
6 somewhere where there's going to be higher traffic  
7 volume, so it seems like it would be easier to put  
8 into R-1.

9                   CHAIRPERSON TIMMERMAN: R-M, Multifamily.

10                  SECRETARY STACY: Yeah.

11                  MR. EVANS: I mean, that's just thoughts.

12                  CHAIRPERSON TIMMERMAN: I like it.

13                  MS. LAND: Under conditional use?

14                  MR. EVANS: Yes. So any conditional use  
15 would go through the Planning Commission. Like, if  
16 somebody says in-house, "I want to start a daycare  
17 with six or less kids," and then you'll see -- you  
18 make the final, you know --

19                  MS. LAND: Actually, not them. You -- you  
20 guys -- It comes to you guys. They only ever get  
21 involved as the Regional Planning Commission if  
22 there's an amendment, and that is you guys.

23                  MR. CORDONNIER: I don't -- We don't have  
24 really any oversight.

1 MS. LAND: When they say go to the  
2 commission, they mean you.

3 MR. EVANS: Whoa. Buck stops here.

4 MR. CORDONNIER: So if you -- If ten years  
5 from now, say this is adopted and you're like, "Hey,  
6 we want to ad an R-2" -- any changes you then make,  
7 we -- come to Regional Planning. We make a  
8 recommendation, and then -- but the Township  
9 ultimately decides.

10 CHAIRPERSON TIMMERMAN: Okay. We're at  
11 Section 802, Required Conditions.

12 MR. EVANS: Do you want me to start  
13 reading?

14 CHAIRPERSON TIMMERMAN: Sure.

15 MR. EVANS: Section 802: Required  
16 Conditions:

17 1. All business establishments shall be  
18 retail or service establishments dealing directly  
19 with customers. All goods produced on the premises  
20 shall be sold at retail on premises where produced.

21 2. All business servicing or processing  
22 except for off-street parking or loading shall be  
23 conducted within a completely enclosed building.

24 Keep going?

1 CHAIRPERSON TIMMERMAN: The second one:  
2 All service processing, would that include storage?  
3 Are they allowed to store anything outside?

4 MS. LAND: Not -- I think the way that's  
5 written is all of it fit within a completely enclosed  
6 building.

7 CHAIRPERSON TIMMERMAN: That's kind of how  
8 I read it as well. I just wanted to clarify that.

9 MS. LAND: I think with the Local  
10 Business, that's the most restrictive part. You  
11 probably want it that way. However, we're combining  
12 1 and 2, so we got to see what it says down here, see  
13 if they're going to conflict with one another. Why  
14 don't we hold on to the area in both requirements for  
15 this and don't do that just now. Let's go over  
16 and look at B-2 and see what part of that -- how we  
17 want to combine it in the B-1, if there's any of them  
18 that we want to bump down to B-3 or if we want them  
19 all to go up into B-1, because it was B -- I think  
20 B-2 was -- It must have been the intent to be -- have  
21 it be sort of that middle ground between, you know,  
22 the local and the -- the more -- things like  
23 Walmarts.

24 So there may be part of it that can go

1 each direction, both up and down from 2. Let's start  
2 there.

3 MR. EVANS: Start reading 901?

4 MS. LAND: Yeah. Or what's -- what's in  
5 10 B-2? Large consumer population generally  
6 characterized by the integrated or clan cluster of  
7 establishments served by a parking area and  
8 generating large volumes of vehicular/pedestrian  
9 traffic. That would be like a -- Does that seem more  
10 like the plazas around Walmart?

11 MR. CORDONNIER: Yeah. That sounds more  
12 like C -- Like, all of Tiffin Avenue is C-2. Tiffin  
13 and Trenton are all C-2.

14 MS. LAND: But this is being incorporated  
15 into B-1.

16 MR. CORDONNIER: Then what -- What does  
17 B-3's intent bring us?

18 SECRETARY STACY: Is there a difference?  
19 Higher traffic volume basically? Is that one of the  
20 big things for B-3?

21 MS. LAND: Kind of looks like it.

22 MR. CORDONNIER: So it's car wash, bus  
23 passenger station, new and used car, motels. So, I  
24 mean, nothing I'm seeing in B-3 other than the

1 standards might be different. But, to me, B-2 you  
2 would allow for auto repair, car sales, hotels,  
3 motels, large scale retail, all those things.

4 So I almost feel like B-3 gets moved into  
5 B-2. And then we can -- we can look at the  
6 standards, the setbacks and things like that. But --

7 MS. LAND: So instead of combining B-1 and  
8 2 to B-1, you would be combining B-2 and 3 to B-2?

9 MR. CORDONNIER: Yeah. That's what I  
10 think. None of the permitted uses in B-3 jump out to  
11 me as being that much different than what should be  
12 in B-2.

13 CHAIRPERSON TIMMERMAN: So then it's a  
14 matter of anything in B-2 we would need to move to  
15 B-1. That's kind of how we're looking at it at this  
16 point.

17 MR. EVANS: Keep going on with 901 then?  
18 Section 901, Principal uses permitted: In a  
19 Community Business District, no building or land  
20 shall be used and no building shall be erected except  
21 for one or more of the following specified uses  
22 unless otherwise provided in the resolution.

23 1. Office of service establishments such  
24 as, but not limited to, the following: A: Office



1 buildings for any of the following occupations:

2 Executive, administrative, professional, accounting,  
3 writing, clerical, stenographic, drafting and sales.

4 B --

5 MS. LAND: That's a weird list.

6 SECRETARY STACY: Because sales, I mean,  
7 that could generate a lot of volume of people  
8 depending on what the sales is for.

9 MR. CORDONNIER: Well, that's -- but  
10 that's not -- that's not retail sales.

11 SECRETARY STACY: Okay.

12 MR. CORDONNIER: That's over the phone.  
13 Yeah. That's -- Retail is I come into your store and  
14 buy something.

15 SECRETARY STACY: Okay. Okay. All right.  
16 Okay.

17 MR. CORDONNIER: If -- It ceases to be an  
18 office building if hundreds of people are going in  
19 and purchasing things. Then it's retail.

20 SECRETARY STACY: Right. Definitely.

21 MR. EVANS: B: Medical office, including  
22 clinics.

23 C: Facilities for human care such as  
24 hospitals, sanitariums, rest and convalescent homes.

1 MS. LAND: Do we call them rest homes or  
2 sanitariums?

3 SECRETARY STACY: I've never heard  
4 sanitarium. It sounds dated. I --

5 MR. REHUS: Old folks home.

6 SECRETARY STACY: What did you say?

7 MR. REHUS: Old folks home.

8 SECRETARY STACY: I don't like that word  
9 "sanitarium."

10 MR. EVANS: What is the accepted  
11 terminology? Do you know?

12 MR. CORDONNIER: I think just hospital.

13 MS. LAND: Old folks home is not it. Is  
14 it nursing home?

15 MR. CORDONNIER: I would use nursing home.

16 MR. EVANS: Yeah. I --

17 MS. LAND: Nursing or convalescent homes  
18 and mental health facilities? That's what a  
19 sanitarium used to be.

20 SECRETARY STACY: Yeah.

21 MR. CORDONNIER: I mean, to me, this is  
22 large scale medical facility.

23 MS. LAND: Like a hospital.

24 MR. CORDONNIER: More of the hospital.

1 Birchaven maybe. But that's got a residential  
2 component to it. And then I think -- I may want to  
3 jump back to B-1. I don't have any issue with  
4 dentist office or doctor's office. I think we kind  
5 of do the same thing.

6 Like, to me, the intent of B-2 is  
7 Blanchard Valley Hospital, a surgery center, things  
8 like that. But then B-1, you know, your -- your  
9 dentist office with two practitioners in it or a two  
10 family physicians, an office of that caliber would  
11 fit. And I think that's where you -- in some ways  
12 you might supply -- and that goes with any type of  
13 office in B-1.

14 I don't mind an accounting office. I  
15 don't mind any professional offices. I think we just  
16 apply a square footage test to it. And I'll --  
17 I'll -- Next time I'll give you what -- my opinion on  
18 what that square footage should be.

19 MS. LAND: Okay. So we would take this  
20 old 1 and move it up -- no, we don't want hospitals  
21 up there. Nursing or convalescent homes wouldn't be  
22 a problem in a B-1, right?

23 MR. CORDONNIER: Probably not.

24 MS. LAND: The only thing on there that

1 shouldn't probably be in B-1 would be the hospital.

2 MR. CORDONNIER: Yeah.

3 MS. LAND: What about an urgent care kind  
4 of thing, like Physicians Plus?

5 MR. CORDONNIER: I'm leaning toward B-2 on  
6 that.

7 MS. LAND: B-2?

8 MR. CORDONNIER: But that's just --

9 CHAIRPERSON TIMMERMAN: Let me make notes.

10 MR. EVANS: Go back to D?

11 CHAIRPERSON TIMMERMAN: Yeah.

12 MR. EVANS: D: Banks, credit unions,  
13 savings and loan associations and similar uses.

14 E: Personal service establishments  
15 including barbershop, beauty shops and health salons.

16 CHAIRPERSON TIMMERMAN: Is all that stuff  
17 going to B-1 then? Or does that stay in 2?

18 MR. EVANS: Seems like barbershops ought  
19 to be B-1 and beauty shops.

20 SECRETARY STACY: I agree. Yeah. I think  
21 those should be B-1.

22 CHAIRPERSON TIMMERMAN: Banks?

23 MR. EVANS: And you look at banks and  
24 savings and loans more as a traffic issue for what

1 category they'd be in?

2 MR. CORDONNIER: I don't know. I go into  
3 a bank about once every four years now. So I just  
4 call it -- I'll just group those in financial  
5 institutions. And I'm fine with them, honestly, in  
6 B-1 or B-2.

7 CHAIRPERSON TIMMERMAN: Does anybody have  
8 any thoughts about whether B-1 or B-2 if we're not  
9 going to allow it to go both ways?

10 MS. LAND: Are you going to do the pyramid  
11 thing and everything that is in B-1 could be in B-2?  
12 There's just things in B-2 that we don't want in B-1.

13 MR. CORDONNIER: Yeah. I don't have any  
14 issue pyramiding. Whatever is allowed in B-1 is  
15 probably your first thing to just say in B-2. Okay?  
16 But then I probably -- I don't know.

17 I probably -- but then I would keep your  
18 Industrial maybe separate. So in Industrial you  
19 don't say all the uses in B-1 and B-2.

20 CHAIRPERSON TIMMERMAN: I got you.

21 MR. EVANS: I got you.

22 CHAIRPERSON TIMMERMAN: Would you pyramid  
23 Industrial, though, because we have an Industrial-1  
24 and Industrial-2. Would everything from Industrial-1

1 be allowed in Industrial-2?

2 MR. CORDONNIER: Yeah.

3 CHAIRPERSON TIMMERMAN: But Business  
4 doesn't go into Industrial.

5 MS. LAND: You don't want a McDonald's  
6 sitting in the middle of all the factories. Although  
7 it probably would do really well there.

8 SECRETARY STACY: I was going to say.  
9 People that work there would be happy.

10 MR. EVANS: Are we at 2? All retail  
11 businesses?

12 CHAIRPERSON TIMMERMAN: I think so.

13 MR. EVANS: 2. All retail business  
14 Service establishments or processing uses as follows:

15 A: Any retail business whose principal  
16 activity is the sale of merchandise in an enclosed  
17 building.

18 B: Any service establishment of an  
19 office, showroom or workshop nature of an  
20 electrician, decorator, dressmaker, tailor, baker,  
21 painter, upholsterer or an establishment doing radio  
22 or home appliance repair, photographic reproduction  
23 and similar service establishments that require a  
24 retail adjunct.

1 C: Private clubs, fraternal organizations  
2 and lodge halls.

3 MS. LAND: Let's go back to B for a  
4 minute. There's a lot going on there. Is there  
5 anything in here that you think is outdated, needs to  
6 go, is called something different now?

7 MR. EVANS: Dressmaker, tailor.

8 MR. CORDONNIER: What's the -- What's it  
9 trying to say? I'm not even sure.

10 MS. LAND: Well, it's -- I think they're  
11 trying to say something that has a workshop but they  
12 also sell there, which isn't very common anymore.

13 MR. EVANS: Some of it is like -- a  
14 workshop, a painter or an electrician.

15 MR. CORDONNIER: So that -- I mean, that  
16 brings up -- We have a -- This is something that I  
17 know in the City of Findlay we struggle with, is like  
18 contractor's offices. Generally the size of the lot,  
19 you know, like, you're more comfortable putting a  
20 contractor's office within a proximity of something  
21 than you are of putting kind of the light industrial  
22 factory in proximity of something. But they require  
23 the same zoning. So that -- that's one thing we  
24 struggle with a lot, is contractor's offices.

1           They don't necessarily -- You know, do you  
2 put them in R-1 and R-2? But I don't like them  
3 there. And I don't love them in the I-1 -- I-1  
4 district because someone comes to rezone something  
5 and it's 10 acres, you have to assume kind of the  
6 worst a little bit because they can say, "I promise  
7 you I'm going to build" -- And you can't put  
8 conditions on it. You can't rezone it to I-1 and say  
9 under the condition that you -- you build a  
10 contractor's office.

11           You can't put a -- So when something is  
12 rezoned, you have to look at the list of things and  
13 say, "They can do any of these things." Now, like I  
14 said, the size of the lot, if it's four acres, you  
15 can't, you know -- but the whole -- It's just  
16 something to think of, where do we want to put  
17 plumber's, electrician's, contractor's offices?  
18 That's --

19           MR. EVANS: Because sometimes there's  
20 vehicles involved with it. There could be a dozen  
21 vehicles involved in it.

22           MS. LAND: Equipment that sits around as  
23 well.

24           MR. EVANS: Yeah. So backhoes, trailers,



1 that kind of stuff. I'm not saying there's anything  
2 wrong with it. It just needs to be in the right  
3 place.

4 SECRETARY STACY: Right. Right.

5 MR. EVANS: Where is that right now? Is  
6 that the kind of stuff that's under B?

7 MS. LAND: I think it's probably under --  
8 B-3 would be that kind of stuff.

9 CHAIRPERSON TIMMERMAN: B-3?

10 MS. LAND: Uh-huh. It's not listed  
11 anywhere, but if it had to go somewhere, it would be  
12 in B-3 I would think.

13 MR. EVANS: Which is now B-2?

14 MS. LAND: Formerly known as B-3. Do we  
15 even need that paragraph in there?

16 MR. CORDONNIER: I don't think so.

17 MR. EVANS: It's a lot of weird stuff.

18 MS. LAND: Because we have up in the -- we  
19 have personal service establishments in B-1. We  
20 could use what's there without all those identified  
21 things that are kind of outdated, add on right after  
22 that for service establishments and then put a size  
23 on them because we already have tailor shops, beauty  
24 parlors, radio and television repair up there in the

1 other one, in B-1. So take out personal service  
2 establishments and just say service establishments.

3 (Clara Pargeon enters.)

4 MR. EVANS: So B-2 we'll put a square  
5 footage.

6 MS. LAND: Do you want to keep them in B-1  
7 or move them all to -- we're removing B-1 and -- What  
8 are we doing? We were now taking B-1 and leaving it  
9 alone and B-2 and B-3 were --

10 MR. CORDONNIER: Combined.

11 CHAIRPERSON TIMMERMAN: Clara, do you want  
12 to sit up here?

13 (Discussion held off the record.)

14 MS. LAND: Clara, our fifth member, this  
15 is Matt Cordonnier. He's from Hancock Regional  
16 Planning.

17 MR. CORDONNIER: Hi. Nice to meet you.

18 MS. PARGEON: Nice to meet you also.

19 CHAIRPERSON TIMMERMAN: Bring you up to  
20 speed quickly. We're on Page 22 roughly. Kind of  
21 looking at Business-1, 2 and 3 all at the same time.  
22 And we're looking at what I'll call joining B-2 and  
23 B-3. But I think some stuff in B-2 is going to B-1.

24 MS. PARGEON: Okay.

1 CHAIRPERSON TIMMERMAN: So it's kind of --  
2 We're looking at them all together a little bit.

3 MS. PARGEON: Great.

4 MS. LAND: So back to that thought that we  
5 were just trying to work out. Should we take the  
6 paragraph in 9012-B and move that out of there and  
7 take -- and put -- all that stuff would be allowed in  
8 B-1 and then call Paragraph 3 in B-1, instead of  
9 personal service establishments, call it service  
10 establishments and put a square footage on them.

11 CHAIRPERSON TIMMERMAN: Putting them  
12 where?

13 MS. LAND: It's Paragraph 3.

14 SECRETARY STACY: On Page 20. Cross out  
15 personal and then put -- just putting a square  
16 footage limitation on it.

17 MR. EVANS: Like a max square footage on.

18 MS. LAND: Like in retail business, we  
19 said doing business in a facility no larger than --  
20 we don't know what number of feet yet. And then  
21 personal service establishments which perform  
22 services on the premises, and then we say such as,  
23 but not limited to -- these laundry lists are bad.  
24 We need to take those out of there because we have --

1 Some of them are outdated, and some of them are  
2 things that we can't even think of all the things.  
3 So take out that part that says on the premises.

4 MR. EVANS: Yep.

5 MS. LAND: Stop with premises. And then  
6 doing business in a facility no larger than whatever  
7 number square feet we put in there. Do you want to  
8 make it the same as retail or less?

9 MR. EVANS: What was retail?

10 CHAIRPERSON TIMMERMAN: 30,000-ish.

11 MR. EVANS: Between twenty to forty --  
12 thirty. 30,000 would be huge for a service.

13 MS. LAND: Very big.

14 MR. CORDONNIER: This is what you're  
15 thinking about, plumbers and the like?

16 MS. LAND: No. This is things like watch  
17 repair, jewelery repair, they do their work there,  
18 their service is provided but you come into the  
19 retail part to pay --

20 MR. CORDONNIER: Massage.

21 MR. EVANS: Tattoo.

22 MS. LAND: Tattoo and piercing and stuff  
23 like that with these too, yes.

24 MS. PARGEON: No. 2: Personal service

1 establishments.

2 MS. LAND: I don't know -- I have no idea  
3 of a size. I'm not good with that. I can't  
4 visualize how big something is. But we're talking  
5 about shoe repairs, somebody who does alterations on  
6 clothes.

7 MR. EVANS: Most of that stuff is less  
8 than 1,000 square foot.

9 MS. LAND: The part where you come in is.  
10 But what if they have a workshop in the back where  
11 they're doing their work?

12 MS. PARGEON: Well, for a shoe shop, it's  
13 not really, really big.

14 MS. LAND: It could be someplace that  
15 does tailoring --

16 MS. PARGEON: Mass production.

17 MS. LAND: -- you know, alterations.

18 FROM THE FLOOR: Dollar General is 10,000  
19 square feet.

20 CHAIRPERSON TIMMERMAN: Zoe just looked up  
21 Dollar General.

22 FROM THE FLOOR: It's within 7,500 square  
23 feet and just under 10,000 square feet. Use Dollar  
24 General if you want to use that as a range.

1 CHAIRPERSON TIMMERMAN: Thanks.

2 FROM THE FLOOR: And Walmart is 100.

3 MR. EVANS: Just to give you an idea, this  
4 room is probably just under 1,000 square feet.

5 MR. CORDONNIER: To me, these are all  
6 things that don't exist anymore.

7 MS. LAND: They do though. I mean,  
8 there's some in Findlay. I mean, there's a couple  
9 alteration places. So --

10 MR. CORDONNIER: I think they definitely  
11 belong in B-1, that line of things --

12 SECRETARY STACY: Yeah. Yeah. I think  
13 so.

14 MS. LAND: But we're also --

15 MR. CORDONNIER: -- personal services.

16 MS. LAND: But if we put it this way,  
17 service establishments, then we are probably taking  
18 in things like piercing shops and tattoo shops and  
19 vape shops. That's in the retail part. Those kind  
20 of things are there based on the size of the  
21 building.

22 CHAIRPERSON TIMMERMAN: If you didn't want  
23 to include them, how do you exclude them?

24 MS. LAND: You can't exclude them. You

1 can discourage them, but you cannot exclude them. I  
2 don't know. If you go about it with size limits, I  
3 suppose they could -- so it's a size that's not  
4 palatable. That's all I can think.

5 MR. EVANS: It's probably not palatable  
6 for others that you --

7 MS. LAND: Exactly.

8 MR. EVANS: Like, there's a watch guy on  
9 Township Road 99, and he's in a building smaller than  
10 1,000 square feet.

11 MS. LAND: Or lawnmower repair or saw  
12 sharpening and scissor sharpening, stuff that people  
13 have, you know, a cottage business. I don't know  
14 what size you want. 30,000 seems kind of excessive.

15 MR. EVANS: Yeah. That's huge.

16 MR. CORDONNIER: I was thinking 2,500 or  
17 3,000 max.

18 MR. EVANS: Because that's a good size.

19 CHAIRPERSON TIMMERMAN: You said this is  
20 1,000.

21 MR. EVANS: This is roughly 1,000 square  
22 feet, this room.

23 CHAIRPERSON TIMMERMAN: That seems like a  
24 normal-ish size. Depending upon what the business

1 might be, it might require bigger than this. But for  
2 most of this stuff that we're talking about, it seems  
3 like 1,000 is close. To me, it seems like --

4 MS. LAND: 2,500 is quite a lot, I mean,  
5 if you think about it.

6 CHAIRPERSON TIMMERMAN: And if they  
7 require more than that, then they go up to B-2.

8 MR. CORDONNIER: They can request a  
9 variance.

10 MS. LAND: Yeah. Area variance.

11 MS. PARGEON: If they want to go smaller,  
12 then they have to do a variance.

13 MS. LAND: They can always go bigger than  
14 that. Oh, no. They can't go bigger. They can go  
15 smaller without asking.

16 MS. PARGEON: Go smaller. Okay.

17 MR. CORDONNIER: 500 square feet.

18 MS. LAND: Sorry.

19 MR. EVANS: What -- what did you say  
20 about, like, plumbing and heating places, that kind  
21 of stuff? Is that B-1?

22 MS. LAND: I don't know. Does that fall  
23 under service establishments? We leave personal  
24 service establishments in there, take -- leave the



1 word "personal." Then that definitely doesn't cover  
2 those kind of things. I don't like leaving  
3 "personal" in there. I think it limits it a little  
4 bit too much, excludes a lot of things.

5 MR. EVANS: Yeah.

6 MS. LAND: I guess it depends on what you  
7 consider personal service. Getting scissors  
8 sharpened or saws sharpened, is that personal  
9 service?

10 SECRETARY STACY: You're on Page 22, on E?  
11 Is that what you're talking about.

12 MS. LAND: It's on Page 20, second -- we  
13 took it out of Page 22.

14 SECRETARY STACY: Yeah.

15 MR. EVANS: That one says on the premises.  
16 That kind of eliminates the plumbing and heating guys.

17 MS. LAND: Yeah. For that in there,  
18 you're correct.

19 MR. EVANS: But I don't know if it's  
20 covered somewhere else.

21 MS. LAND: I didn't see it really. It  
22 didn't jump out at me.

23 MR. CORDONNIER: We call them contractor's  
24 office. And then it's kind of defined that it's --

1 you know, it is for storage of the trucks, it has an  
2 office, you know, what you all -- the  
3 things -- storage of materials.

4 MS. LAND: I would definitely think it  
5 would need to be in 3 I would think. I mean, do you  
6 really want the machinery and whatever they may be  
7 bringing in and out of their business  
8 coming -- their -- where you have daycares and beauty  
9 shops and --

10 MR. CORDONNIER: Yeah. It's definitely  
11 not -- It's definitely not --

12 MS. LAND: It's not compatible enough.

13 MR. CORDONNIER: It's definitely not B-1.

14 MR. EVANS: So B-3 would be the --

15 CHAIRPERSON TIMMERMAN: Contractor.

16 MS. LAND: What would you call them?  
17 Contractor's offices?

18 MR. CORDONNIER: Yeah.

19 MS. LAND: And storage yards?

20 MR. CORDONNIER: Yeah. This -- Yeah.  
21 This is formatted in a different that -- in a way  
22 that I'm not so used to working with. But outdoor  
23 storage is a big issue. So I would say B-1, B-2, no  
24 outdoor storage. And so maybe B-3 is this kind of in

1 between Industrial and Commercial.

2 MS. LAND: But B-2 would be 3 or now B-2?

3 MR. CORDONNIER: Unless we don't do that.

4 MS. LAND: Okay.

5 MR. EVANS: There's some things that are  
6 kind of -- Seems like there needs to be a category  
7 different than --

8 MR. CORDONNIER: Or -- or depending on how  
9 you format I-1 and I-2, I-1 could be more of your  
10 contractor's offices. But I don't like that because  
11 I-1 is kind of traditionally, you know, your valve  
12 film, your -- your Lowe's distribution, that's I-1.  
13 And then I-2 is traditionally, like, your really  
14 heavy duty, like steel mills and --

15 MS. LAND: Cooper and Ball.

16 MR. CORDONNIER: The only I-2 in the City  
17 of Findlay is the Cooper -- Cooper plant. And  
18 honestly, it probably fits the definition of I-1.  
19 I-2 is, you know, kind of -- I'm trying to -- I could  
20 look.

21 FROM THE FLOOR: Oil refineries, steel  
22 mills, chemical factories.

23 MR. CORDONNIER: Yeah. Oil refineries,  
24 that's -- I-2 is normally your most intense of

1 intense industrial uses.

2 MS. LAND: I think he said externally  
3 affect the area around them.

4 MR. CORDONNIER: Yeah.

5 MS. LAND: Like smoke and smell and --

6 MR. CORDONNIER: Yeah.

7 MS. LAND: So --

8 MR. CORDONNIER: I-1, I mean, you don't  
9 know if they're manufacturing shoes or basketballs or  
10 cars. I mean, it's -- For the most part, I mean,  
11 it's all inside. You can't see what's going on.  
12 Cars is maybe a little off base, but you know what  
13 I'm saying.

14 MS. LAND: Cars might be in I-2.

15 SECRETARY STACY: So we made -- B-1, 2 and  
16 3 are separate?

17 MR. CORDONNIER: Could be.

18 SECRETARY STACY: Could be.

19 MS. LAND: How about by Thursday -- I'll  
20 come on Thursday with this sorted out into new B-1,  
21 B-2 and B-3 or combined. You can see the two  
22 different options, and we can figure out how we're  
23 going to do it because we're getting ourselves kind  
24 of confused now with the jumping back and forth.

1 MR. CORDONNIER: We may want to just B-1,  
2 B-2, B-3 and just start listing out and shuffling  
3 them around where they should be --

4 MS. LAND: Might be a good idea.

5 MR. CORDONNIER: -- visually. Yeah,  
6 because I'm starting to get confused too.

7 MR. EVANS: It would help define them.

8 MS. LAND: Are there any types of things  
9 that we haven't approached yet where we need to  
10 figure out where we want to put it?

11 MR. CORDONNIER: Truck stop. I mean,  
12 there's a million things we haven't decided.

13 MS. LAND: Oh, they do have a -- In this  
14 before they had an Expressway Service, and truck  
15 stops were there.

16 MR. CORDONNIER: Okay.

17 MS. LAND: And I think they still need  
18 that because they have really two interchanges in the  
19 township.

20 MR. CORDONNIER: You know, we do have  
21 truck stop in the I-1. So gas stations B-2, and then  
22 truck stop is I-1. But the other -- The way you just  
23 mentioned it I don't have any issue with.

24 MR. EVANS: When you say truck stop, like,

1 technically, Speedway, is that a truck stop?

2 MS. LAND: No. The Pilot up there on 613,  
3 that's a truck stop.

4 MR. EVANS: So, like, what's the  
5 difference between the Pilot and the Speedway?

6 MR. CORDONNIER: For me, it's how many  
7 trucks you can park.

8 MR. EVANS: Refueling areas or --

9 MR. CORDONNIER: If there's, you know --

10 CHAIRPERSON TIMMERMAN: Parking.

11 MR. CORDONNIER: -- parking and truck  
12 specific refueling areas.

13 MS. LAND: A lot of them also have shower  
14 facilities, short-term sleeping facilities, things  
15 that are beyond what you find in a regular gas  
16 station.

17 MR. CORDONNIER: If Speedway was built  
18 today, we would have it under the truck stop just  
19 because they have -- they can park about twenty-five  
20 trucks in the back, and they have truck refueling  
21 areas.

22 MR. EVANS: It's separate.

23 MR. CORDONNIER: The new RaceTrac across  
24 the street --

1 MS. LAND: Which Speedway?

2 MR. CORDONNIER: -- on 99.

3 MR. EVANS: That's the one I'm referring  
4 to.

5 MS. LAND: Oh, that one.

6 MR. CORDONNIER: That one is sneaky  
7 because it doesn't feel like a truck stop, but  
8 it's -- like, the -- the RaceTrac gas station across  
9 the street, they went from -- they expanded, and now  
10 they have I think parking for like 40 trucks in a  
11 separate service. So we made them get the I-1.

12 MS. LAND: What about Sheetz? What do we  
13 want to do?

14 MR. CORDONNIER: Sheetz will be just a  
15 regular gas station.

16 MS. LAND: Is that in the township?

17 MR. CORDONNIER: It's in the township now,  
18 yeah. I don't know -- I haven't heard if they're  
19 going to annex or not. The City Planning  
20 Commission -- The City left it up to them. They did  
21 not require the Sheetz to annex.

22 MR. REHUS: What about the gas station on  
23 the corner right there between 75 on Main?

24 MR. CORDONNIER: That -- That's RaceTrac.

1 MR. REHUS: Oh.

2 MR. CORDONNIER: They did -- they did  
3 annex and then property to the north --

4 MR. REHUS: Okay.

5 MR. CORDONNIER: -- some of the property  
6 was annexed.

7 MR. REHUS: I don't remember the name of  
8 them.

9 MS. LAND: I've never heard of a RaceTrac,  
10 so I don't know what's going on.

11 MR. EVANS: I think they said this is the  
12 first one in Ohio, which kind of surprised me. I  
13 thought if they're in Kentucky, it seems like you  
14 wouldn't go to Findlay to be the first one in Ohio.

15 MS. LAND: Cincinnati.

16 MR. REHUS: Cincinnati.

17 MS. LAND: There aren't many Sheetz over  
18 in this area either. There are a lot --

19 MR. REHUS: There's a lot in Pennsylvania  
20 though.

21 MS. LAND: -- way up by Kent  
22 and [inaudible], there's tons of them.

23 CHAIRPERSON TIMMERMAN: So are we moving  
24 from Business right now? Is that the strategy?



1 MS. LAND: I -- I think we accomplished a  
2 good lot of stuff to get work for the next time. You  
3 know, it -- it required more chat now before we can  
4 finalize. So I will -- I won't be here, remember,  
5 the next time for the first hour because my last  
6 thing is done at 5:00 in Columbus. So I'll head  
7 straight back here, but I'll talk on the phone if you  
8 want me to for that five o'clock hour.

9 SECRETARY STACY: Are we ready to jump  
10 into 27, expressways for this or not?

11 MS. LAND: Yeah. I'm going to take 20  
12 through 26 and recombine them into different pages.

13 SECRETARY STACY: Okay.

14 MS. LAND: I will email them to you  
15 hopefully on Wednesday so that you have them to bring  
16 with you to look at while we're talking.

17 CHAIRPERSON TIMMERMAN: Okay. Is that  
18 what we're going to try to do while you're on the  
19 road, is to go through the Business stuff?

20 MS. LAND: Well, you can go through other  
21 stuff. I don't know how you want to do it. But  
22 you'll have it in hand.

23 MR. EVANS: Go to Article XI?

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MR. EVANS: Article VI: ES, Expressway  
2 Service Districts, Section 1100, Intent: The ES,  
3 Expressway Service Districts, is intended to serve  
4 the needs of automobile, highway traffic at the  
5 interchange areas of feeder roads and expressway  
6 facilities, smooth traffic flow at an interchange  
7 area and to protect adjacent properties and other  
8 zones from adverse influences of traffic.

9 MS. LAND: When Matt comes back, let's ask  
10 him about feeder roads.

11 MR. EVANS: Section 1101, Principal Uses  
12 Permitted: In ES, Expressway Service Districts, the  
13 use of land, the location and the erection of new  
14 buildings or structures and the alteration,  
15 enlargement and moving of existing buildings or  
16 structures from other locations or districts shall  
17 conform to the following specified uses unless  
18 otherwise provided in this resolution:

19 1. Automobile service stations and repair  
20 stations, parking garages and bus passenger stations.

21 2. Retail establishments to serve the  
22 needs of the highway travelers, including such  
23 facilities as, but not limited to, drug stores, gift  
24 shops and restaurants.

1           3. Hotels, motels, transient lodging  
2 facilities, but not including tent sites.

3           4. Other uses similar to the above as  
4 determined after zoning commission approval. In  
5 determining that the uses are similar, the zoning  
6 commission shall find that the use will primarily  
7 serve the needs of automobile highway traffic.

8           And 5. Accessory structures and uses  
9 customarily incident to the above permitted uses.

10           MS. LAND: Okay. Facilities, No. 2:  
11 Retail establishments to serve the needs of highway  
12 travelers, including facilities as, but not limited  
13 to, drug stores, gift shops and restaurants?

14           MR. CORDONNIER: Yeah. That's --

15           MS. PARGEON: Do they have showers there  
16 also? [Inaudible.]

17           MR. CORDONNIER: Right now -- To me, right  
18 now the only thing different from C-2 is truck stop.  
19 I mean, I think C-2 you can put a Holiday Inn. You  
20 couldn't put --

21           MS. LAND: But this specifically does not  
22 pyramid the others into it. So this is excluding  
23 stuff from the other Business Districts I think is  
24 what it's doing.

1 MR. CORDONNIER: Yeah. Do we pyramid the  
2 other ones into this?

3 MS. LAND: No. I wouldn't. I think that  
4 was the whole point of having the Expressway Service  
5 Districts, so that they could have them reserved for  
6 only the things that are really good at the  
7 interchanges and not have somebody put something  
8 there that is not, other businesses right there. We  
9 do the pyramid for all the others, but I think we  
10 should not in this section. That's just my opinion.  
11 It's up to you guys.

12 SECRETARY STACY: I think it makes sense.

13 MS. LAND: But I'm still stuck on gift  
14 shops and restaurants.

15 MR. EVANS: Especially the drug store.  
16 Gift shops and restaurants, you see those in gas  
17 stations.

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: Yeah. I think we  
20 can get rid of the drug store.

21 MR. EVANS: Can we get rid of the tent  
22 sites? I'm not sure --

23 MS. LAND: They're excluded.

24 MR. EVANS: Get rid of that, where it says

1 not including tent sites or leave that in there?

2 MR. CORDONNIER: I would think what things  
3 do you want to include, truck stop, hotels and  
4 motels, restaurants, automobile service.

5 CHAIRPERSON TIMMERMAN: Just call them out  
6 like that?

7 MR. CORDONNIER: Yeah. If it doesn't  
8 pyramid, then we want to list -- list -- I would list  
9 the things, permitted uses, truck stops, hotels,  
10 motels, restaurants?

11 MS. LAND: Do you want to make truck  
12 stops -- truck -- Do you want to make them their own  
13 paragraph or add them into one of the others?  
14 Automobile -- we could put them under automobile  
15 service stations or repair stations, parking garages,  
16 bus passenger stations and truck stops; or you could  
17 add another paragraph that says truck stops.

18 CHAIRPERSON TIMMERMAN: I think that's  
19 good.

20 MS. LAND: Okay.

21 MR. EVANS: So I'm kind of curious what  
22 differentiates a service station from a truck stop?  
23 I know they have, like, showers and that kind of  
24 stuff. Is it basically that? Because they both have

1 C-stores, and they both have gasoline. They both  
2 have diesel. Is it a certain number of pumps that a  
3 truck stop has?

4 MR. CORDONNIER: The definitions  
5 differentiate between a truck stop and a gas station.

6 MR. EVANS: But does it seem like that's  
7 what you want to do, is maybe -- where you talk about  
8 maybe showers or number of diesel pumps or trucks --

9 MR. CORDONNIER: Yeah.

10 CHAIRPERSON TIMMERMAN: -- in the  
11 definitions?

12 MR. CORDONNIER: Yeah. I would define  
13 what a truck stop is. And that's -- To me, like you  
14 said, they're very similar other than --

15 MS. LAND: Is an auto service station  
16 considered a gas station? Because it's hard to get  
17 service at a gas station. They don't do that  
18 anymore.

19 SECRETARY STACY: That's true.

20 MS. LAND: Do you want service stations  
21 there? I think it's probably a good idea.

22 MR. CORDONNIER: I think so.

23 CHAIRPERSON TIMMERMAN: Like someone is  
24 breaking down, it's nice to have one there, a good

1 place.

2 MS. LAND: So do you want to add gas  
3 stations? We have automobile service stations and  
4 repair stations. And I think service stations used  
5 to be gas stations. Are they still?

6 SECRETARY STACY: No. I don't think so.

7 MR. CORDONNIER: I'll call -- Gas station  
8 is what we all think of a gas station; and automotive  
9 repair would be, to me, like a Bridgestone or some of  
10 the ones on Tiffin Avenue.

11 MS. LAND: Automobile service stations and  
12 repair stations, gas stations, parking garages, bus  
13 passenger stations and truck stops.

14 MR. CORDONNIER: I don't know why we would  
15 have parking garages.

16 MR. EVANS: It's kind of a weird thing for  
17 an interchange.

18 MS. LAND: I agree. Where do you go to  
19 when you come out of the parking garage?

20 CHAIRPERSON TIMMERMAN: Where would you --  
21 Like, if there was a park and ride kind of thing or  
22 carpooling, not that we necessarily have that around  
23 here, would that fall into a parking garage scenario,  
24 because if you were -- if we would ever get to that

1 point, you know, a park -- a carpooling area would be  
2 handy. When I used to live up in Michigan, I saw  
3 those all the time.

4 MR. CORDONNIER: Sure.

5 MS. LAND: I think maybe it's one of those  
6 things we could keep -- We can always -- It's like a  
7 living document. If we decide as these are coming up  
8 that they're starting to be an issue, then we could  
9 look at amending, to add them. And by then we'll  
10 have a better idea of what they're going to look like  
11 and where we would want to put them. So we can just  
12 sort of keep that in our back pockets, knowing that  
13 there could be something that comes along.

14 CHAIRPERSON TIMMERMAN: That's fine. So  
15 you're saying at that point the --

16 MS. LAND: Parking garages.

17 CHAIRPERSON TIMMERMAN: -- parking  
18 garages.

19 MR. EVANS: What's funny is we talk about  
20 gas stations, but at this point, are we supposed to  
21 be including charging stations or --

22 MS. LAND: Oh.

23 MR. EVANS: Seems like that's --

24 MR. CORDONNIER: So we -- Because I know



1 we have -- We just talked to someone today that wants  
2 to put charging stations in at one of the gas  
3 stations in Findlay, and we don't have any issue with  
4 that.

5 We added charging stations as conditional  
6 uses in almost all the -- almost -- in all the  
7 Commercial, so C-1, C-2, C3, I-1, I-2 and Office.  
8 But that -- that's excluding -- Residential, we  
9 considered those being personal use, and that's a  
10 whole -- That's not regulated under this.

11 MS. PARGEON: How long does it take to  
12 charge a car?

13 MR. CORDONNIER: That's not -- Don't know.

14 MS. PARGEON: I'm just curious. I --

15 MR. CORDONNIER: There's fast charge.  
16 Technology is getting better every day. I mean, I  
17 think some can charge rather quickly, 20 minutes, 30  
18 minutes, 40 minutes.

19 MS. LAND: Like 45. I've got a friend who  
20 has an electric Mustang. She said it takes her 45  
21 minutes at a fast charge.

22 MS. PARGEON: We all know what it takes at  
23 a gas station. You just read the gallons.

24 MR. CORDONNIER: So yeah. I don't have

1 any -- I mean, we don't -- if someone -- We don't  
2 differentiate a gas station and -- and a charging  
3 station as the same thing.

4 MR. EVANS: So should that word be put in  
5 there?

6 MR. CORDONNIER: But we allowed the  
7 flexibility to have it -- My recommend -- I mean, if  
8 you want to separate it out, I would allow it in most  
9 of the -- any of the Commercial, the B-1, B-2, B-3,  
10 Highway and Light Industrial.

11 MS. PARGEON: That way people can go do  
12 something else while they're waiting for their  
13 vehicle to charge, visit another shop or something.

14 MR. CORDONNIER: Yeah. I mean, and -- For  
15 the most part, we consider it an accessory use. So  
16 if Campbell's -- If Cooper wanted to put them all  
17 over their parking lot, we would not say, "Well, that  
18 doesn't meet zoning." It's an accessory use to the  
19 primary use of the factory.

20 MS. LAND: But if they are more and more  
21 purely electric cars that need charging, they could  
22 develop easily the same as gas stations that are just  
23 charging ports. So --

24 MR. CORDONNIER: So standalone charging

1 facilities are -- are a conditional use in most of  
2 those. And we'll adjust it as needed. But --

3 MS. LAND: But in the ES District, they  
4 should probably be just permitted uses just like gas  
5 stations.

6 MR. CORDONNIER: Sure. Yeah.

7 MR. EVANS: Because that's where they're  
8 going to pull off it seems like, somebody from out of  
9 town or whatever.

10 CHAIRPERSON TIMMERMAN: Are you just  
11 adding it to the first section then?

12 MS. LAND: So it will say gas stations,  
13 charging stations and bus passenger stations and  
14 truck stops, automobile service stations and repair  
15 stations, gas stations, charging stations, bus  
16 passenger stations and truck stops. Look at us  
17 coming into the 21st century. We lost the dry goods  
18 and got charging stations.

19 MR. EVANS: Should we carry on?

20 MR. CORDONNIER: Pony Express Depot.

21 MS. LAND: Okay. Under 2: Retail  
22 establishments to serve the needs of the highway  
23 travelers, including such facilities as, but not  
24 limited to. We took out drug stores. We left gift

1 shops and restaurants. Is there anything else that  
2 you would want to put in there as a -- Are coffee  
3 shops considered restaurants?

4 CHAIRPERSON TIMMERMAN: I would think so.

5 MS. PARGEON: I think so.

6 MS. LAND: Should we just put "Starbucks"?

7 CHAIRPERSON TIMMERMAN: Call it out  
8 specifically.

9 MS. LAND: Hotels, motels, transient  
10 lodging facilities, but not including tent sites. Do  
11 you want to exclude tent sites or put them in?

12 MR. CORDONNIER: I would just keep it  
13 motels, hotels and scratch the rest.

14 MS. LAND: Yeah.

15 MR. EVANS: I would scratch out transient  
16 lodging.

17 MS. LAND: What are transient lodging  
18 facilities?

19 MR. CORDONNIER: I don't know.

20 MS. LAND: That's what I --

21 MS. PARGEON: Well, they don't have a  
22 permanent place to live, and they --

23 MS. LAND: Then it would be like bed and  
24 breakfasts. We don't want those there. Boarding

1 houses, we don't want those there. Anything other  
2 than hotels and motels? Do they call them anything  
3 else?

4 MR. EVANS: Are we on 4?

5 MS. LAND: Uh-huh.

6 MR. EVANS: Other uses similar to the  
7 above as determined after zoning commission approval:  
8 In determining that the uses are similar, the zoning  
9 commission shall find that the use will primarily  
10 serve the needs of automobile highway traffic.

11 5. Accessory structures and uses  
12 customarily incident to the above permitted uses.

13 Section 102, Required Conditions:

14 1. Barriers: All developments shall be  
15 physically separated from the theater row by a curved  
16 and planting strip. Such barrier shall effectively  
17 eliminate unchanneled vehicle ingress or egress  
18 except for authorized accessways.

19 2. Accessways: Each separate use group  
20 of buildings or grouping of uses as a part of a  
21 single planned development shall not have more than  
22 two accessways from a feeder road. Each accessway  
23 shall not be located closer than 300 feet to the  
24 point of intersection of an entrance or exit ramp

1 baseline in the theater road centerline.

2 In cases where the ramp baseline of feeder  
3 road centerline do not intersect, no accessway shall  
4 be located closer than 300 feet from the point of  
5 tangency of a ramp baseline in the theater road  
6 pavement. In those instances where properties  
7 fronting on a feeder road are of such width or are in  
8 multiple ownerships and accessways to the property  
9 cannot be provided in accordance with the minimum 300  
10 feet distance from the intersection of the feeder  
11 road and entrance or exit ramps, a marginal access  
12 road shall be provided to serve such properties. I  
13 need a picture on that one.

14 MS. LAND: We need a flowchart.

15 MR. EVANS: Section 1103: Area and Bulk  
16 Requirements.

17 MS. LAND: Well, wait a minute. We can't  
18 just leave that. Well, as soon as they got the word  
19 "tangency," my mind shut off. Just so you know.

20 Matt, do you have any input?

21 MR. CORDONNIER: So --

22 MS. LAND: Is this something that  
23 access -- or access management would work with?

24 MR. CORDONNIER: Well, in terms of -- I'm

1 just used to asking the city engineer. You know,  
2 city engineer says where they can have curb cuts.

3 MS. LAND: So it's county engineering.

4 MR. CORDONNIER: But yeah. The city --  
5 the city is a little bit more of an art form than a  
6 -- We have the 400, 200, et cetera. So this comes to  
7 kind of a little bit of the randomness of this  
8 document. You know, this barrier, essentially we  
9 call this -- there should be a parking lot setback  
10 for all parking lots. And it's -- It depends  
11 on -- And that's what it's describing. But that --  
12 that goes for all of the business, for all commercial  
13 uses, either five or ten feet from the right-of-way.  
14 And that allows for your green space buffer.

15 MS. LAND: I think we'll get to that when  
16 we get to off-street parking rules.

17 MR. CORDONNIER: Yeah.

18 MS. LAND: There's another section about  
19 that.

20 MR. CORDONNIER: So yeah. I mean,  
21 honestly, these -- I kind of understand what it's  
22 trying to say. It's essentially, for the most part,  
23 I believe without reading it a second time over, is  
24 consolidate curb cuts. Share and consolidate curb

1 cuts is essentially my takeaway from that. And  
2 obviously you don't want them too close to the  
3 intersection.

4 So I think -- In some ways, I think some  
5 of these things we just have to let sit there as we  
6 go through. Like you said, off-street parking, maybe  
7 that's where all the off-street parking setbacks are.  
8 Then we don't need -- you know, we don't need one.

9 MS. LAND: We might be able to take this  
10 and simplify it a tad better.

11 MR. CORDONNIER: At the very -- at the  
12 very least, it needs to be reworded to -- But I think  
13 we just put a question mark by that to come back to  
14 it.

15 MS. LAND: Uh-huh.

16 MR. EVANS: Section 1103, Area and Bulk  
17 Requirements: See Article XIV, Schedule of  
18 Regulations: Limiting the height and bulk of  
19 buildings, the minimum size of lot, type permitted  
20 land use and providing minimum yard setback  
21 requirements.

22 MS. LAND: Is that Page 34?

23 MR. EVANS: Uh-huh.

24 MR. CORDONNIER: Now, does every section



1 refer to that?

2 MS. LAND: Yeah. It's the chart that has  
3 all the -- So we are in ES. There's no minimum lot  
4 size per dwelling unit because there are no dwelling  
5 units. And then minimum height and feet is  
6 seventy-five.

7 CHAIRPERSON TIMMERMAN: Seems awfully  
8 tall.

9 MS. LAND: It does.

10 MR. EVANS: I don't know if that includes  
11 towers or --

12 SECRETARY STACY: I would remove "towers."

13 MR. EVANS: I don't know.

14 MR. CORDONNIER: Maximum height. Did you  
15 say --

16 MR. EVANS: Seventy-five feet.

17 MR. CORDONNIER: Yeah. Hotel, motel.

18 MS. LAND: Hotel might be several stories.

19 MR. CORDONNIER: It will be -- it will be  
20 a few years before we see a --

21 CHAIRPERSON TIMMERMAN: Seventy-five feet.

22 MR. EVANS: That's roughly a six-story  
23 building.

24 SECRETARY STACY: I think we need to scale

1 that back a little.

2 CHAIRPERSON TIMMERMAN: I probably would  
3 too.

4 SECRETARY STACY: What's a two-story  
5 building?

6 MR. EVANS: Thirty feet would be close to  
7 being safe.

8 SECRETARY STACY: Can we cross out  
9 seventy-five and put in thirty?

10 MS. LAND: We might want more than a  
11 two-story building --

12 MR. EVANS: Forty, fifty.

13 MS. LAND: -- because hotels are four  
14 stories.

15 MR. CORDONNIER: Forty, fifty. I'd say  
16 fifty. I mean --

17 MS. LAND: Okay.

18 MR. CORDONNIER: You got to think -- I  
19 mean, it's the list of those things. And do you  
20 care -- Do we care if anyone builds -- You know,  
21 limited to those things. So the chances of a  
22 five-story truck stop are pretty minimal. I would  
23 say fifty feet. That -- that would probably allow  
24 for a four-story motel or hotel.

1 MR. EVANS: And I don't think you get  
2 fifty in that.

3 CHAIRPERSON TIMMERMAN: What's that?

4 MR. EVANS: You couldn't get a five-story  
5 in fifty, right?

6 CHAIRPERSON TIMMERMAN: Right.

7 MR. CORDONNIER: And four-story might be  
8 cutting it pretty close.

9 MS. LAND: There is a provision in I that  
10 says: The zoning commission may permit structures  
11 higher than the maximum height standards provided  
12 that all yard setbacks are increased equal to height  
13 of the proposed structures. Because right now we  
14 have setbacks of seventy-five feet as well all the  
15 way around with seventy-five feet in height. So do  
16 you want to change those to fifty or keep them at  
17 seventy-five?

18 CHAIRPERSON TIMMERMAN: I think it makes  
19 sense to make them fifty at that point.

20 MS. LAND: And then there is that  
21 provision that if they come to you and they want  
22 taller, then you grant that it can be a taller  
23 building, they have to have the setbacks  
24 proportionately larger. So we're changing those to

1 fifty as well?

2 CHAIRPERSON TIMMERMAN: Anybody else have  
3 any thoughts?

4 MR. CORDONNIER: No. That's a big  
5 setback. Seventy-five is a big setback. Yeah.

6 MS. LAND: We talked off-street parking is  
7 allowed in the front setback with ten feet between  
8 the nearest point of parking area and the  
9 right-of-way. Then for side yards, there's no  
10 fifty-foot setback between buildings. So they have  
11 multiple buildings. They still have to have fifty  
12 feet apart.

13 And K is something about loading spaces.  
14 But they have a fifty -- I guess they're basically  
15 saying you can have loading docks in your fifty foot  
16 back section. There's no minimum area or maximum --  
17 No minimum floor square footage and no maximum lot  
18 coverage.

19 CHAIRPERSON TIMMERMAN: Is that standard,  
20 to have it that way?

21 MS. LAND: I would think because if they  
22 pay, they're covering quite a lot. So we would  
23 have --

24 CHAIRPERSON TIMMERMAN: It's standard for

1 those businesses.

2 MS. LAND: Yeah.

3 MR. CORDONNIER: We don't have any lot  
4 coverage in the Commercial, just Residential.

5 MS. LAND: Right.

6 MR. CORDONNIER: Just -- just for context,  
7 Findlay's C-2 is thirty foot front yard, twenty-five  
8 foot side yard, thirty foot rear yard. So --

9 CHAIRPERSON TIMMERMAN: C-2, that would be  
10 basically our B-3 on this?

11 MR. CORDONNIER: Yeah.

12 CHAIRPERSON TIMMERMAN: And you said what  
13 number again?

14 MR. CORDONNIER: Our B-2. I'm fine with  
15 it. I think the fifty side yards, I would say  
16 fifty -- If you wanted to stay at fifty, I would go  
17 fifty front yard, thirty rear yard, thirty side yard.

18 MS. LAND: For the Expressway Service?

19 MR. CORDONNIER: Yeah. That's just my  
20 thought. Or fifty front, fifty rear. But the side  
21 yard fifty is a lot.

22 SECRETARY STACY: Take fifty down to  
23 thirty on the side?

24 MR. CORDONNIER: Yeah. I'd -- For that,

1 for the Expressway, I think you'd be fine if you went  
2 fifty front, fifty rear, twenty-five side.

3 MS. LAND: The twenty-five?

4 MR. CORDONNIER: Or thirty side.

5 MR. EVANS: Thirty.

6 MS. LAND: No offense to Findlay, but they  
7 don't want to be zoned just like Findlay. They want  
8 to be a little bit more open and have more space.

9 SECRETARY STACY: Yeah.

10 MS. LAND: So things that are closer and  
11 tighter in Findlay is not exactly -- translate  
12 exactly here. So making it a little wider might fit  
13 more of the concept that you guys have been  
14 discussing. We have a different standard. Different  
15 place in the world.

16 CHAIRPERSON TIMMERMAN: So do we like  
17 thirty?

18 SECRETARY STACY: I think -- Yeah. That's  
19 fine.

20 MR. CORDONNIER: That's more of a decision  
21 on how you do your -- If you do it, you probably want  
22 to have it be appropriate. I mean -- So yeah. Most  
23 of your township will be zoned Agricultural. But I  
24 would say where you have -- where you want the

1 things, it should be able to be designed  
2 appropriately. So -- But that's fine. I think more  
3 of that comes into how you adopt your map, what areas  
4 and the land use versus the standards.

5 MS. LAND: Since we just finished those,  
6 before we start the Industrial, do you have maps,  
7 because we only have about --

8 MR. CORDONNIER: I have -- I have a child  
9 that I have to pick up here before his game ends.  
10 So -- so yeah. This is -- We were asked -- I think  
11 this is the map. There's two here.

12 We just put the map into -- The last time  
13 this was -- they tried to adopt, we just -- we put  
14 this into Art View, which is the more -- more  
15 relevant mapping GIS software. So the first one is  
16 kind of the map that was looked at to be adopted.  
17 And then the second map -- and we'll work on some of  
18 the colors and things. But this is the actual land  
19 use of the township, how things are being used.

20 So red is the Commercial. Green is  
21 Agricultural, and then the tan is kind of where there  
22 are single-family homes located on it. And then I  
23 think we -- we kind of -- we -- we adjusted a little  
24 bit. I think -- I think if it was ten acres or less

1 with a house, then we did a tan. If it was 80 acres  
2 with a house and a farm field, we did it  
3 Agricultural.

4 But we did this based upon -- The first  
5 flush of it was done by how it's taxed. So if it's  
6 taxed as Single-Family, if it's taxed Agricultural,  
7 if it's taxed as Commercial.

8 MS. LAND: Oh, on the current use?

9 MR. CORDONNIER: On the second one, yeah,  
10 the current use. This will be important as you're  
11 coming up with your potential map, you know,  
12 understanding, "Hey, let's -- We can't put the  
13 Lowe's dist -- or the Home Depot distribution center  
14 as -- we probably shouldn't put it as Agricultural,"  
15 understanding that it's there. And some of the  
16 different things that are kind of throughout the  
17 township that you may not kind of realize at times.  
18 So this isn't the final draft.

19 MS. LAND: What's this thing?

20 MR. CORDONNIER: The landfill.

21 MS. PARGEON: Big, isn't it?

22 MR. CORDONNIER: So -- And -- and I can  
23 bring larger maps of this. And I expect that -- This  
24 is just a working -- and you and the Township may



1 know better on some of the things. But it's  
2 something to --

3 MS. LAND: Can you get, like, this size  
4 maps?

5 MR. CORDONNIER: Yeah.

6 MS. LAND: Big -- one that is -- with the  
7 last ones on it, one that's all white and then one  
8 that -- this one, so they can compare them all.  
9 And get --

10 MR. CORDONNIER: Sure.

11 MS. LAND: Because we don't really want to  
12 use the last map. Things have changed since then.  
13 Let's get one that has nothing on it, and you can  
14 create your own --

15 MR. CORDONNIER: Oh, you want -- Okay.

16 MS. LAND: With no districts on it. Just  
17 white.

18 MR. CORDONNIER: Just parcels, and we can  
19 fill in the colors?

20 MS. LAND: Yes. And I'll bring the  
21 markers.

22 MR. CORDONNIER: With that, I need to  
23 leave. And next Thursday at 5:00?

24 MS. LAND: 5:00. Or this Thursday at

1 5:00.

2 MR. CORDONNIER: Whatever I said is what I  
3 meant.

4 (Discussion held off the record.)

5 MS. LAND: So next time I will come back  
6 with the Business sections changed around like  
7 hopefully incorporated what we were talking about --  
8 if I do it tomorrow morning, I'll remember everything  
9 we said -- and try to create the new -- And then we  
10 will do Industrial next time.

11 I don't know how long the Industrials will  
12 take. So when you're done with that -- incredibly  
13 awesome reading -- those Regular Industrial, General  
14 Industrial, then we will get into the miscellaneous.  
15 But I think we need to look at that -- the schedule  
16 on Page 34. We've been looking at it as we go along.  
17 But all of those different notes that are on the next  
18 couple pages that are identified, we ought to go  
19 through those to see if any of those need to be  
20 tweaked, anything that we don't like, anything that  
21 needs to be updated.

22 I think our biggest problem -- We -- I  
23 think you've gone through the hurdles of the biggest  
24 problems here with Residential. I'm worried about

1 your definitions and Business. You know, Industrial  
2 is pretty straightforward. It's not as hard as  
3 Business because there are so many things -- You want  
4 businesses. You want people to be able to -- and you  
5 want to be able to make it lenient enough that they  
6 can have their businesses without, you know, too  
7 much, but we also want to control the development a  
8 little bit.

9 Industrial it's more you really want to  
10 make sure they follow certain rules. So it's a  
11 little more compact. And that is -- It's not as  
12 difficult as Business. Business is hard. It took  
13 us, like, this whole time; and we really haven't even  
14 worked it out.

15 CHAIRPERSON TIMMERMAN: What do you need  
16 from us? You're taking notes right now. You'll be  
17 driving. I'm assuming you're not going to take notes  
18 while driving.

19 MS. LAND: No.

20 CHAIRPERSON TIMMERMAN: Hopefully.

21 MS. LAND: Two hands on the wheel. I'll  
22 be talking hands free. If one of you just wants to  
23 take notes on what it is that we're talking about  
24 until I get here. If I decide to skip the last

1 session, which I might, then I'll be back here  
2 probably by 5:30 or a quarter to 6:00.

3 CHAIRPERSON TIMMERMAN: Okay. You're  
4 going to try to have us -- Your two options for this?

5 MS. LAND: I will email them to you  
6 hopefully by Wednesday night. So you'll have them by  
7 Thursday morning to have them here while you're  
8 discussing them.

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. LAND: Is there anything else you guys  
11 want to talk about or deal with now?

12 CHAIRPERSON TIMMERMAN: I don't remember  
13 which township I saw this in. But they had like --

14 MS. LAND: That's Eagle.

15 CHAIRPERSON TIMMERMAN: You've season this  
16 before?

17 MS. LAND: Uh-huh.

18 CHAIRPERSON TIMMERMAN: Do you like  
19 something else added or --

20 MS. LAND: That's all they have. They  
21 don't have it in the other section. It's like they  
22 look at that chart. If it's not on the chart, then  
23 they don't do it. They're a very different type  
24 of -- different format. You can if you want to as a

1 synopsis.

2 CHAIRPERSON TIMMERMAN: Basically it's  
3 just kind of like you got all your districts here  
4 and, you know, landfill; and then they just kind of  
5 say where it's permitted. I -- I think it's super  
6 easy to -- at a quick glance. But you're going to  
7 miss a lot of stuff too.

8 MS. LAND: Yeah. And the other thing was:  
9 Regional Planning uploaded all these on the Internet,  
10 and they had that up there for several years with all  
11 the things scrambled, and you couldn't tell what  
12 lines things were supposed to be in. We had so many  
13 problems because we had written copies that were  
14 right, but people were looking on there.

15 And we finally -- They just had them take  
16 it off. They did their own, and then they scanned it  
17 and said, "Put this scan on it." It was -- Something  
18 happened in the formatting, and it just -- It was a  
19 mess.

20 CHAIRPERSON TIMMERMAN: Yeah. I think it  
21 adds, like, a simplicity for people to look through  
22 and just like, "Yes. That can go there." But I  
23 don't want to do it -- I mean, if it adds confusion  
24 at a different level, it's not worth that either.

1 MS. LAND: I think it's one of those  
2 things maybe we ought to wait until we get to the  
3 end. That's --

4 CHAIRPERSON TIMMERMAN: And see about it.

5 MS. LAND: What I'm kind of planning is:  
6 We're going to go through all these things. We're  
7 going to talk about them. We're going to get the  
8 changes you want. Then I'm going to reprint for  
9 everybody all of it with the red line and the  
10 strikeouts so you can all review -- We'll review then  
11 what we've done and anything we might think we want  
12 to revisit now because it's something we could get  
13 out later. We're doing that now a little. We're  
14 jumping back. But if we do this, then we can look at  
15 these things but -- and then we can -- at that. And  
16 then we can look at doing something like that so it  
17 will summarize what we actually have.

18 CHAIRPERSON TIMMERMAN: How much time does  
19 that take versus what we're doing right now?

20 MS. LAND: I think it won't take more than  
21 a meeting to go through it once we get the final  
22 draft because we're going through -- we want to  
23 reread it. We're skimming through, "Okay. Yes. I  
24 see what we did here." And make sure we're all on

1 the same page and everything got put down like we  
2 were all thinking.

3 I was going to start handing them out in  
4 pieces, and I decided that's not a very good idea  
5 because then I'm afraid we're going to get confused  
6 especially if we go back and we change something.  
7 Then we've got different versions, and that gets very  
8 confusing.

9 CHAIRPERSON TIMMERMAN: Yep.

10 MS. LAND: I would prefer to have all the  
11 confusing versions on my desk until I get the final  
12 version to give to you. And then we'll get  
13 it -- We'll be ready then to put it into the final.

14 CHAIRPERSON TIMMERMAN: Okay. The  
15 question that was brought up to me: Lots that  
16 currently exist as Residential, are they  
17 automatically grandfathered in; or do they --

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: Okay. That's the  
20 way I understood it too, but I just wanted  
21 clarification on that before -- Okay.

22 MS. LAND: Uh-huh.

23 CHAIRPERSON TIMMERMAN: Anything else?

24 MS. LAND: I like that Matt is here giving

1 us -- However, he's -- he -- You know, "We do it this  
2 way in Findlay." He's not on Findlay zoning, so we  
3 need to take a lot of it and really pick apart  
4 because sometimes, you know, the way Findlay can and  
5 should develop is not what you guys want because you  
6 don't want to be Findlay. That's part of the reason  
7 you want to zone. So keep that in mind. And --

8 CHAIRPERSON TIMMERMAN: Okay. Is there  
9 any days that people know they're -- Last time you  
10 said there's a couple days.

11 MR. EVANS: Next week I won't be here  
12 either day.

13 CHAIRPERSON TIMMERMAN: So the 22nd and  
14 25th. Okay.

15 (Discussion held off the record.)

16 CHAIRPERSON TIMMERMAN: Is there -- I  
17 think you still want communication to go through you.

18 MS. LAND: Uh-huh.

19 CHAIRPERSON TIMMERMAN: Should he just  
20 text, email, whatever?

21 MS. LAND: Email. Yeah.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: Are we going to ask if there  
24 are any questions tonight of the people?



1 CHAIRPERSON TIMMERMAN: Sure. As long as  
2 everybody is good with that.

3 Open to questions, comments, thoughts.

4 FROM THE FLOOR: I have two things. Last  
5 meeting there was a question about swimming pool  
6 fencing. And I was able to look some of that stuff  
7 up. I don't know if you -- I didn't hear you talk  
8 about it. But I can just give you this paper I  
9 printed.

10 This is from -- I only did one copy. It's  
11 from Consumer Product Safety Commission. Four feet  
12 off the ground if it's an above ground pool. Most of  
13 those are not quite four feet, so they recommend a  
14 fence above.

15 And you need some way to put up the steps  
16 and lock them. If you can't, then you need fencing  
17 around that, around the steps. So just FYI. But  
18 I'll -- I guess I'll hand this to you and --

19 MS. LAND: And then I'll make copies.

20 FROM THE FLOOR: Okay. The other thing at  
21 the beginning early in -- you were talking about  
22 definitions of a pond. I didn't understand that. I  
23 didn't understand what you were saying, and I deal  
24 with ponds seven days a week.

1 MS. LAND: Right now the section that  
2 they're going to be coming to for ponds is very  
3 vague. It has no size limit on it. And Washington  
4 Township recently found that somebody made an  
5 application to build a 30 foot deep, 100-acre pond.

6 FROM THE FLOOR: Right.

7 MS. LAND: And they don't want that to be  
8 something that is permissible in Washington Township,  
9 so they're looking at the idea of putting parameters  
10 on the size of a pond.

11 FROM THE FLOOR: I see. So that was a  
12 precursor to a later time.

13 MS. LAND: Yeah. The pond section.

14 FROM THE FLOOR: I just heard 500 square  
15 feet, which is -- And 500 square feet and then above  
16 500 square feet. But we deal with ponds that are two  
17 and three acres that's a, quote, farm pond, you know.

18 MS. LAND: Yeah. This was -- I think this  
19 is -- There probably will be a three-acre -- the  
20 section that I have about ponds will have, like, a  
21 three-acre minimum.

22 SECRETARY STACY: For Washington you mean?

23 MS. LAND: Yeah. That's what they --  
24 they've used.

1 FROM THE FLOOR: And the 500 was --

2 MS. LAND: A three-acre maximum. Sorry.

3 CHAIRPERSON TIMMERMAN: I was going to  
4 say.

5 SECRETARY STACY: Three acre max.

6 FROM THE FLOOR: It doesn't count -- it  
7 doesn't count as a pond if it's under 500?

8 MS. LAND: Yeah.

9 FROM THE FLOOR: It's just a --

10 MS. LAND: A puddle.

11 FROM THE FLOOR: -- a puddle. Wow. We  
12 sell lots of puddles.

13 MS. LAND: You're talking about things  
14 like koi ponds and things like that. That might be  
15 something you want to look at. It's up to you guys.  
16 Do you consider it landscaping, or do you consider it  
17 something that needs to be zoned?

18 SECRETARY STACY: I would say it's  
19 landscaping.

20 CHAIRPERSON TIMMERMAN: Me too.

21 MR. EVANS: I don't want to regulate it.

22 SECRETARY STACY: No. Right.

23 MR. EVANS: And 500 square feet is about  
24 half the size of this room. So it would be hard to

1 have a pond. Probably a guy wouldn't get his  
2 equipment out to dig a pond this size.

3 FROM THE FLOOR: The section that you guys  
4 were talking about contractors and everything and  
5 putting them in B-3 possibly instead of, like, Light  
6 Industrial, I feel like you should probably put them  
7 in Light Industrial unless there's, like, a  
8 size -- like, if you guys want to limit with a size  
9 because you got small plumbing contractors, small  
10 building. Then you've got large plumbing contractors  
11 which do fabrication inside their buildings, which  
12 could be anywhere from PVC, copper, you know, your  
13 soldering and brazing and your welding stainless  
14 steel pipe, which causes lots of noise, lots of  
15 storage. Cranes get involved. Lifts get involved.

16 So just something to think about. Kind of  
17 keep it away from the Business and kind of keep it  
18 like more of an industrial setting because you got  
19 Werk-Brau, and they're a fabrication shop. And they  
20 have all their storage outside. You just see  
21 excavator buckets just lined up out in the back.  
22 So -- so something to think about.

23 MS. LAND: Yeah. Maybe lean in that  
24 direction too. It's probably better in an Industrial

1 District.

2 FROM THE FLOOR: And I've worked in a lot  
3 of those settings. So --

4 CHAIRPERSON TIMMERMAN: Is there a way to  
5 limit the square footage if it was a smaller plumber  
6 versus a --

7 MS. LAND: Maybe we can identify as not  
8 with fabrication shops or not with outdoor storage,  
9 not, you know --

10 CHAIRPERSON TIMMERMAN: Things to  
11 consider.

12 FROM THE FLOOR: Because their office  
13 buildings are attached to those as well.

14 MS. LAND: They almost always don't have a  
15 separate office.

16 MR. EVANS: A lot of times it's not the  
17 office building. That's a concern. It's everything  
18 sitting outside.

19 CHAIRPERSON TIMMERMAN: Yep.

20 Anybody else? Okay. Is there anything  
21 else we wanted to cover? Do we want to --

22 SECRETARY STACY: I'm going to make a  
23 notation what time you came in if that's okay.

24 MS. PARGEON: Yeah. That's fine.

1 SECRETARY STACY: You arrived at 6:15.

2 MS. PARGEON: Same as staying up longer.  
3 That's the problem.

4 SECRETARY STACY: So do we want a motion  
5 to adjourn?

6 MS. LAND: Any other business?

7 SECRETARY STACY: Any other business?

8 CHAIRPERSON TIMMERMAN: I'm good. What  
9 is -- So next -- On Thursday we'll be doing B  
10 whatever.

11 MS. LAND: Who should I call to be able  
12 to -- Somebody will have to put me on speaker for a  
13 little while.

14 CHAIRPERSON TIMMERMAN: Call mine if you  
15 want.

16 MS. LAND: Okay.

17 CHAIRPERSON TIMMERMAN: Okay. We'll cover  
18 B whatever and Industrial and definitely definitions  
19 that go along with the -- after Page 34, is it?

20 MS. LAND: Yeah. So it would be 35 and  
21 36.

22 CHAIRPERSON TIMMERMAN: The notes to  
23 schedule regulations will be the --

24 MS. LAND: I think until we work out

1 what's going on with Business, do the Industrial and  
2 go over those notes. That will probably take our  
3 full time. But we are still moving pretty rapidly.  
4 You're doing pretty well.

5 MR. EVANS: Is there anything we should  
6 cover, since you're on the road, that would just help  
7 you out if we covered something else?

8 MS. LAND: No. It's fine. I carry on a  
9 lot of business talking in the car.

10 (Discussion held off the record.)

11 CHAIRPERSON TIMMERMAN: All right. Motion  
12 to adjourn?

13 MS. PARGEON: I make a motion to adjourn.

14 MR. EVANS: I second that.

15 SECRETARY STACY: And all in favor.

16 (Vote taken.)

17 SECRETARY STACY: Motion passed.

18 - - -

19 And, thereupon, the proceedings were  
20 adjourned at 7:16 p.m.

21 - - -





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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 18, 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

16                           - - -

17

18

19

20

21

22                           ANDERSON REPORTING SERVICES, INC.

23                           3040 Riverside Drive, Suite 125

24                           Columbus, Ohio 43221

                         (614) 326-0177

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 THURSDAY EVENING SESSION  
2 April 18, 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 18th day of  
8 April, 2024, this cause came on for hearing before the  
9 Allen Township Zoning Commission. And the parties  
10 appearing in person and/or by counsel, as hereinafter  
11 set forth, the following proceedings were had:

12 - - -

13 CHAIRPERSON TIMMERMAN: I'll call the  
14 meeting to order.

15 We'll start with roll call.

16 Dave Evans.

17 MR. EVANS: Here.

18 CHAIRPERSON TIMMERMAN: Clara Pargeon.

19 MS. PARGEON: Here.

20 CHAIRPERSON TIMMERMAN: Darrin Rehus.

21 VICE CHAIRPERSON REHUS: Here.

22 CHAIRPERSON TIMMERMAN: Deb Stacy.

23 SECRETARY STACY: Here.

24 CHAIRPERSON TIMMERMAN: John Timmerman is  
here.

1           SECRETARY STACY: I'll go ahead and read the  
2 minutes from 4-15.

3           Attendance. The attendance was Dave Evans,  
4 Darrin Rehus, Deb Stacy, John Timmerman. Clara  
5 Pargeon arrived at 6:15 p.m.

6           Deb Stacy, Township Zoning Commission  
7 Secretary, read the April 11th, 2024, minutes.

8           Motion. 24-04-9M. John Timmerman moved to  
9 approve the Allen Township Zoning Commission minutes  
10 from the April 11th, 2004 meeting. Darrin Rehus moved  
11 to second the motion. Motion passed.

12           Matt Cordonnier --

13           MS. LAND: Just say Matt.

14           SECRETARY STACY: Matt from the Hancock  
15 County Regional Planning attended the meeting.

16           Matt added insight regarding the different  
17 types of businesses and industry and how that would  
18 impact other entities that surrounded them. He also  
19 interjected comments regarding the Expressway Service  
20 District.

21           Allen Township Zoning Commission discussed  
22 whether the B-1 and B-2 should be combined to form a  
23 new B-1 district or if the three business  
24 designations, B-1, B-2, and B-3, should be kept

1 separate.

2 The Allen Township Zoning Commission plans  
3 to revisit the Business Districts as a topic, as well  
4 as more discussion pertaining to Industrial.

5 During the Allen Township Zoning Commission  
6 meeting, guests were invited to make comments and  
7 offer input on the numerous topics pertaining to  
8 zoning.

9 Motion 24-04-10M. Clara Pargeon moved to  
10 adjourn the meeting. Dave Evans seconded the motion.  
11 Motion passed.

12 We'll do our typical signing for our  
13 official copies, and then we'll --

14 MS. LAND: Somebody want to make a motion?

15 SECRETARY STACY: I will. I didn't forget.

16 CHAIRPERSON TIMMERMAN: Since I already  
17 signed, I'll move to approve. Oh, I've got to date  
18 it, don't I?

19 SECRETARY STACY: Yeah. Okay. I'll ask for  
20 a motion to approve.

21 CHAIRPERSON TIMMERMAN: Am I allowed to  
22 move?

23 MS. LAND: You can.

24 CHAIRPERSON TIMMERMAN: I move to approve

1 the meeting minutes.

2 SECRETARY STACY: Okay.

3 VICE CHAIRPERSON REHUS: I will second.

4 SECRETARY STACY: There is a second. If  
5 everyone agrees, say "Aye."

6 (Vote taken.)

7 SECRETARY STACY: Motion passed. All right.  
8 Okay. All right. That's squared away.

9 CHAIRPERSON TIMMERMAN: I guess we're going  
10 to start in with B-1, all of the Business Districts,  
11 or do you have any other business you want to --

12 MS. LAND: We can dive right in.

13 The document I handed out, the one-page one,  
14 it's the Intent Resolution or paragraph for each of  
15 the Business Districts. I think we need to read  
16 through those and see if we can combine them or not  
17 combine them because we have so many things that are  
18 kind of -- I tried to do that, combining them into  
19 one, but I was -- I cleaned them up good here with red  
20 for the things we did, questions in blue, and, then,  
21 maybe it's a little more organized for being able to  
22 try to maybe chop this up. It got very confusing.

23 CHAIRPERSON TIMMERMAN: I believe it.

24 MS. LAND: My office has been, I was telling



1 them, 80 degrees every day so my concentration level  
2 stinks. I don't know if it was that or if it really  
3 is just sort of too many things that overlap.

4 The things that we discussed, once I read  
5 down and read more carefully in B-3, a lot of them are  
6 already there. Things like gas stations, a station  
7 for fuel, those are already listed.

8 Where these other ones say, like, service  
9 stations, and we've got -- I think what you need to do  
10 is decide are those the same thing. Are you going to  
11 differentiate them in some way better than that  
12 because it's kind of confusing.

13 And when other people read it, they aren't  
14 going to be sure, did that fit in B-2 or B-3. Do we  
15 want them only in 1 or do we want them in both. If we  
16 do, we do better identify them as both or define them  
17 clearly what the service is. There aren't that many  
18 service stations where you just pull in and they, you  
19 know, clean your windows and take care of stuff.

20 VICE CHAIRPERSON REHUS: No more.

21 MS. PARGEON: I haven't seen them wash a  
22 window in forever.

23 MS. LAND: They used to. When I was in high  
24 school, they did. We didn't even use horses. There

1 were cars and everything. I guess I'm used to my kids  
2 with that next line.

3 (Laughter.)

4 MS. LAND: So maybe you guys want to read  
5 through those, and, then, the one-page one with the  
6 three different types or Intent. See if there's  
7 anything you think you should combine. Or when  
8 reading these Intents, if you think you should do them  
9 separate. This is all your vision to do as you want.  
10 There's nothing -- no legal issues either way. It's  
11 all about what you want to do. So, after that, I'm  
12 just going to step out and do the typing.

13 CHAIRPERSON TIMMERMAN: Are people already  
14 reading it individually or do we want to read it out  
15 loud?

16 VICE CHAIRPERSON REHUS: Read it out loud.

17 CHAIRPERSON TIMMERMAN: You want to read it  
18 out loud?

19 VICE CHAIRPERSON REHUS: I left my bifocals  
20 at home.

21 CHAIRPERSON TIMMERMAN: That's all right.  
22 I'll read.

23 Section 1000. Intent. This is for B-3.

24 Intent: The B-3 General Business Districts

1 are designed to provide sites for more diversified  
2 business types which would often be incompatible with  
3 the pedestrian movement in the community business  
4 districts.

5 B-3 General Business Districts are typically  
6 provided adjacent to major highways and are designed  
7 to accommodate uses requiring the high-traffic volumes  
8 normally experienced at such locations.

9 B-2 Community Business District.

10 Intent: The B-2 Community Business  
11 Districts are designed to cater to the needs of a  
12 large consumer population and are generally  
13 characterized by an integrated and planned cluster of  
14 establishments served by a common parking area and  
15 generating volumes of vehicular and pedestrian  
16 traffic.

17 And, then, B-1 Business Districts. The  
18 B-1 Local Business District is intended to permit  
19 those uses as are necessary to satisfy the basic  
20 convenient shopping or service needs of -- what is  
21 that? 333. Are those supposed to be there?

22 MS. LAND: No. Okay.

23 MS. PARGEON: That's a lot of people.

24 MS. LAND: Yeah. This was -- I don't know

1 how that one happened. I wonder what that word is  
2 supposed to be. I took a PDF and had it converted to  
3 Word and it changed some things really weirdly. I  
4 didn't catch that.

5 MS. PARGEON: Is it supposed to be 33  
6 persons?

7 MS. LAND: I'll look back at the original.

8 CHAIRPERSON TIMMERMAN: Probably just leave  
9 it out maybe.

10 -- satisfying the basic convenience,  
11 shopping, or service needs of persons residing in  
12 nearby residential areas.

13 The district is intended to accommodate  
14 neighborhood-oriented businesses which can serve as  
15 transitional areas between Residential and  
16 Higher-Intensity Districts.

17 B-1 Districts should typically be located at  
18 intersections of major and/or secondary thoroughfares  
19 as opposed to being applied in a linear fashion as  
20 along a major highway.

21 MS. LAND: This shouldn't be there at all.  
22 It must have been some weird code it picked up and  
23 changed to something.

24 I did find the term we use instead of

1 "thoroughfare"; it's "major collector."

2 CHAIRPERSON TIMMERMAN: I like that better.

3 MS. LAND: So if we want to change  
4 everywhere it says "thoroughfare" to "major  
5 collector," but is every one of these, where they say  
6 "thoroughfare," going to be a "major collector"?

7 MR. CORDONNIER: I would think so, yes.

8 MS. LAND: Okay.

9 CHAIRPERSON TIMMERMAN: I guess my question  
10 to that is: At the very end here, it says "major  
11 and/or secondary thoroughfares." So is a "major" and  
12 "secondary" both?

13 MS. LAND: Should we say "major and/or  
14 secondary collector roads"?

15 MR. CORDONNIER: Yeah. While we're -- I'll  
16 try to look it up on the county engineer's site.

17 MS. LAND: I did. That's where I got "major  
18 collector." But I didn't see any --

19 CHAIRPERSON TIMMERMAN: Secondary collector.

20 MS. LAND: Thoroughfare doesn't -- I mean,  
21 they switched it to that, but it doesn't always apply  
22 in all the stuff we're doing. It doesn't fit right.

23 "Major collector," it seems kind of --  
24 especially when we have major and secondary. Instead

1 of "thoroughfares," we ought to just say "roads."

2 VICE CHAIRPERSON REHUS: Yeah.

3 MS. LAND: When people read this and see  
4 "major collector," they're going to go, What the heck  
5 is that? It's kind of a term of art for the engineer  
6 and planning people.

7 SECRETARY STACY: Right.

8 MS. LAND: They don't always talk like the  
9 rest of the world.

10 MS. PARGEON: It's simple to say "roads."

11 MS. LAND: I like that.

12 CHAIRPERSON TIMMERMAN: Is there anything  
13 wrong with saying "roads"?

14 MS. LAND: I don't think so, especially  
15 where we identify major and/or secondary. Clearly  
16 we're identifying, and we do call them feeder roads in  
17 other sections, like around in the expressway stuff.  
18 So I think that's more consistent.

19 CHAIRPERSON TIMMERMAN: I think that the  
20 public would appreciate that.

21 MS. LAND: Why don't we change  
22 "thoroughfare" to "roads." Sometimes the simple makes  
23 perfect sense and we still try to get around it.

24 MR. CORDONNIER: Now I know why Ed May wants

1 another cell tower out here.

2 MS. LAND: There weren't any.

3 MR. CORDONNIER: I can't get any service.

4 MS. LAND: Have you talked to Ed May  
5 recently about the zoning stuff or anything?

6 MR. CORDONNIER: No. Last I talked to him  
7 was about a cell tower location.

8 MS. LAND: Apparently that subdivision  
9 that's right near the village, I don't know which one  
10 it is or where it is --

11 MR. CORDONNIER: Yes.

12 MS. LAND: -- but they're covered by village  
13 zoning but they're in the township.

14 I think we have another one of those extra  
15 territorial situations going on, and they will have to  
16 be covered by the new zoning. So what's going to  
17 apply to that group?

18 MR. CORDONNIER: Yeah. I mean, I think it's  
19 a situation where they're using the water and --

20 MS. LAND: Doesn't mean they can --

21 MR. CORDONNIER: -- utilities.

22 I know.

23 MS. LAND: They might be able to require  
24 annexation for that, even though -- of course, that's

1 something I've been fighting forever. But being able  
2 to be covered by their zoning, I don't know how they  
3 did it. They said they did it with some sort of  
4 agreement, but I don't know if that -- Did you guys  
5 ever see it?

6 MR. CORDONNIER: I'm not -- we've not --  
7 I know we've worked on the possible expansion. But,  
8 then, they have all the drainage issues, and I think  
9 they abandoned the expansion because of the drainage  
10 issues.

11 MS. LAND: Of the subdivision?

12 MR. CORDONNIER: Yeah.

13 MS. LAND: Yeah. And how -- whatever they  
14 want to do with the subdivision, it's neither here nor  
15 there. The problem is, if they are currently covered  
16 by village zoning, that's going to have to be -- it  
17 will be superseded by township zoning. If there's a  
18 conflict, there's going to be some issues, so it  
19 probably needs to be addressed, probably at the  
20 planning level, I would think.

21 MR. CORDONNIER: Yeah. I mean, we don't --  
22 we don't have any -- I don't have any authority over  
23 village or township zoning.

24 MS. LAND: But they do come to you guys for



1 recommendation.

2 MR. CORDONNIER: I'll bring it up the next  
3 time I talk with Ed.

4 MS. LAND: Okay.

5 CHAIRPERSON TIMMERMAN: So did anybody have  
6 any thoughts as to reading -- you said there's -- they  
7 don't combine easily when you were looking at it.

8 MS. LAND: I was having some trouble  
9 combining them. But, you know, that's the question.  
10 Do you guys -- when you look at the Intents, do you  
11 think the different Intents that are set out for each  
12 one of these, do you think they are necessary to stay  
13 separate, or do you guys think they would be okay to  
14 be -- to in some way combine them, and how would you  
15 do that for the Intent? Because we have to do the  
16 Intent paragraph as well, not just the things that are  
17 in there.

18 CHAIRPERSON TIMMERMAN: Sure.

19 MS. LAND: I think 3 has -- the things that  
20 are in 3 wouldn't be comfortable in the area that we  
21 want to have as B-1, because B-1 seems to me to be  
22 more of the walking kind of places where they are  
23 close to Residential maybe, or on the fringes of the  
24 village where they become a business district that's

1 more of a walking district.

2 But 2 and 3, when you read them, a lot of  
3 them are duplicates and the things in 1 can be in 2  
4 and 3 because we decided to do that with the pyramid  
5 kind of thing within the types of districts.

6 Is that something you wanted to do? We  
7 discussed it last time and I thought everybody said,  
8 Yeah, it sounds like a good idea.

9 CHAIRPERSON TIMMERMAN: Yeah.

10 MS. LAND: We don't want it to district down  
11 into Industrial and that kind of thing.

12 CHAIRPERSON TIMMERMAN: Right.

13 MS. LAND: At first, we contemplated  
14 combining 1 and 2. That really doesn't work at all  
15 because 2 and 3 are very similar. But there are  
16 things that are limitations in 2 that are not  
17 limitations in 3, so you'd lose some way to limit some  
18 things.

19 You know, the restaurants without drive-thru  
20 windows are in 2, but with drive-thru windows are in  
21 3. So do you end up with never having that place  
22 where they can't have a drive-thru window? I mean,  
23 that's where we'd stand if we go -- See what I mean?

24 VICE CHAIRPERSON REHUS: Yeah.

1 MS. LAND: That's where I got kind of --

2 MS. PARGEON: You've got the smaller place,  
3 and, then, the next place, the next one is a little  
4 bit bigger, and, then, next biggest. But, then, some  
5 people prefer the little and middle size than the  
6 other, and that's the only way you're going to satisfy  
7 them.

8 MS. LAND: This is how it was set up the  
9 last time. There were 3.

10 MS. PARGEON: So leave it as such.

11 MS. LAND: Okay.

12 SECRETARY STACY: With three separate  
13 businesses?

14 MS. PARGEON: Yes. Because if a little  
15 amount of people want to live in a smaller area,  
16 you've got other people that want to live in a little  
17 bit more, and, then, the other ones that want, you  
18 know, a lot more.

19 MS. LAND: Right.

20 MS. PARGEON: So just leave it the three.

21 MS. LAND: And Business 3, that is the  
22 most -- has the most broad things that are permitted.  
23 You can still have all of the stuff that's in 1 in  
24 there. If you want to have, you know -- or your 2.

1 If you want to have a restaurant without a drive-thru,  
2 you can still put it -- it's not saying you can't.

3 But it's just that you can't come up into  
4 the area that wants to have the more boutique shop  
5 kind of area and have the same stuff that would be in,  
6 you know, the larger, big-box shopping center area.

7 I hope you guys get a shopping center. It  
8 would be awesome to have one out here.

9 MS. PARGEON: More traffic.

10 MR. REHUS: I'd like to have a Wendy's out  
11 here.

12 MS. LAND: I just want one of those outlet  
13 malls like they have.

14 SECRETARY STACY: That would work.

15 MS. LAND: Perfect spot.

16 MS. PARGEON: Have you been to the one -- my  
17 son and I went up to -- what is that one, up close  
18 to -- oh, shoot.

19 MS. LAND: At Lodi, up by Cleveland?

20 MS. PARGEON: No, not that close. Oh,  
21 shoot. Right off of 4. We went up there to the  
22 Penney's store.

23 CHAIRPERSON TIMMERMAN: You don't see many  
24 Penney's.

1 VICE CHAIRPERSON REHUS: There's a few left.

2 MS. PARGEON: The whole place, the  
3 storefronts were empty.

4 MS. LAND: Yeah.

5 MS. PARGEON: It was a big --

6 MS. LAND: There's a new one in Aurora; one  
7 outside of Cleveland; there's one outside of  
8 Cincinnati, but there's none in northwest Ohio.

9 MS. PARGEON: They used to have a camper  
10 show and some other things, and people would go, Oh,  
11 yeah, I'm going to go up there. You don't hear it  
12 mentioned anymore.

13 MS. LAND: My daughter pretty much lives at  
14 the one in Aurora.

15 SECRETARY STACY: So it sounds like we've  
16 decided to keep the three separate business districts,  
17 and keep them separate from each other.

18 CHAIRPERSON TIMMERMAN: I'm okay with that.

19 SECRETARY STACY: I am, too.

20 CHAIRPERSON TIMMERMAN: The easiest way to  
21 do it.

22 SECRETARY STACY: I think so.

23 MS. LAND: That second stack that I gave you  
24 are the things that we already discussed with some

1 red, and -- did it print clearly with red and blue?

2 VICE CHAIRPERSON REHUS: Yeah.

3 MS. LAND: With the colors of the things  
4 that you've changed, the lines that you've marked out,  
5 and, then, some blue where I had questions about  
6 something that you guys need to discuss.

7 So maybe if we go through these a little bit  
8 more with all those changes already in there, we can  
9 get it more organized in our heads. I don't know.  
10 Already it's vague.

11 SECRETARY STACY: I see that 333 thing  
12 again.

13 MS. LAND: Yeah, I know. It must have just  
14 transferred with the -- it also changed all of the  
15 Ms to RNs everywhere. I can't figure that out. There  
16 are a lot of Ms in this document.

17 CHAIRPERSON TIMMERMAN: So these are the  
18 changes. The red is the changes we were discussing at  
19 the last meeting?

20 MS. LAND: Yes. That you've talked about  
21 prior to now. Some were -- yeah. And, then, the  
22 things that are lined out were things that you decided  
23 you wanted to take out and change with the red.

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MS. LAND: And the blues are my thoughts as  
2 I'm going through here about -- I had a note, but  
3 I didn't know what you guys had decided or if you  
4 decided anything.

5 SECRETARY STACY: Okay.

6 CHAIRPERSON TIMMERMAN: Does anybody want to  
7 read?

8 MR. EVANS: Sure. Starting at the very  
9 beginning.

10 Article VIII. B-1 Business District,  
11 Section 800.

12 Intent: The B-1 Local Business District --

13 MS. LAND: We might have to do that and we  
14 can just go through it. Let's just skip that now.

15 MR. EVANS: Section 801. Principal Uses  
16 Permitted.

17 In a B-1 Local Business District, no  
18 building or land shall be used and no building shall  
19 be erected, except for one or more of the following  
20 specified uses, unless otherwise provided in this  
21 Resolution:

22 Retail businesses which supply commodities  
23 on the premises doing business in a facility no larger  
24 than 30,000 square feet.

1 MS. LAND: That 30,000 square feet was  
2 because we talked between 20, 40. I just put a  
3 placeholder in there.

4 VICE CHAIRPERSON REHUS: Like the Dollar  
5 General.

6 MS. LAND: Yeah. Dollar General is 10,000.  
7 Is that what Zoe looked up?

8 VICE CHAIRPERSON REHUS: I think so.

9 CHAIRPERSON TIMMERMAN: That's the number I  
10 remember seeing.

11 MR. CORDONNIER: I'll see if I can get it to  
12 load.

13 MR. EVANS: 2. Restaurants or other places  
14 serving food or beverage, except those having the  
15 character of a drive-in.

16 CHAIRPERSON TIMMERMAN: Is that pulled from  
17 B-2?

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: Should it go back to  
20 B-2 at this point?

21 MS. LAND: Well, at B-2, it said you didn't  
22 have any restaurants that -- B-2 said restaurants with  
23 no drive-in. So what kind of restaurants -- I mean,  
24 in B-1, you probably don't want to have drive-ins



1 either, right?

2 CHAIRPERSON TIMMERMAN: Okay.

3 MS. LAND: Or drive-thrus.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: Except those having the  
6 drive-thru, not drive-in. This was so old it was back  
7 when they had carhops, right?

8 VICE CHAIRPERSON REHUS: On roller skates.

9 CHAIRPERSON TIMMERMAN: All right.

10 MR. EVANS: 3. Service establishments which  
11 perform services on the premises doing business in a  
12 facility no larger than 2,500 square feet.

13 MS. LAND: You were satisfied with that one  
14 when we discussed it last time. Those are the smaller  
15 things that you're -- you know, I don't know what kind  
16 of things they would be.

17 CHAIRPERSON TIMMERMAN: Smaller.

18 MS. LAND: Yeah.

19 MR. EVANS: 4. Dry-cleaning establishments  
20 or pick-up stations dealing directly with the  
21 consumer. Central dry-cleaning plants servicing more  
22 than one retail outlet are prohibited.

23 MS. LAND: Where are you going to put those?  
24 And I know -- I agree they shouldn't be in B-1, but

1 keep in mind that they need to be -- you need to look  
2 at that for somewhere.

3 SECRETARY STACY: So when you say "central  
4 dry-cleaning plant," that's like a common area that  
5 may be servicing the smaller --

6 MS. LAND: It would be something like the  
7 ones that go and pick up the shirts from everybody,  
8 and --

9 MS. PARGEON: Hospitals.

10 MS. LAND: -- clean them. And they get  
11 hospitals' cleaning. They get nursing home cleaning.  
12 It's just really a factory that does dry cleaning, as  
13 opposed to a store where people go and drop off their  
14 cleaning.

15 MS. PARGEON: They're constantly in  
16 progress.

17 CHAIRPERSON TIMMERMAN: That would be the  
18 dry-cleaning plant?

19 MS. LAND: Right.

20 SECRETARY STACY: Right.

21 CHAIRPERSON TIMMERMAN: So that's saying  
22 that they're prohibited here?

23 MS. LAND: Right.

24 MR. EVANS: An example would be the city

1 laundry actually has a plant behind the Kohl's  
2 distribution center back in there --

3 MS. LAND: Exactly.

4 MR. EVANS: -- where they take care of all  
5 of that. And, then, they have the other facility on  
6 the cross-street where you can drop off your --

7 MS. PARGEON: That's where they started.

8 MR. EVANS: -- blouse, dress. And that  
9 service is just --

10 MS. LAND: Even if they're doing the dry  
11 cleaning in there, it's where the people would walk in  
12 and drop off, not for the big commercial, which  
13 changes the scope of what they're doing and the kind  
14 of impact it could have on the neighbors. That's what  
15 we're worried about with B-1; things that have no  
16 impact other than pedestrian traffic on neighbors  
17 really.

18 CHAIRPERSON TIMMERMAN: Is that getting into  
19 Industrial at that point, or is it --

20 MS. LAND: It might, or B-3. We'll have to  
21 see.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MR. EVANS: It seems like that's where --  
24 that's kind of the stuff to specify a thing; dry

1 cleaning.

2 MS. PARGEON: Well, it's got the chemicals  
3 and everything.

4 MR. EVANS: I know. I just think there's  
5 got to be some other things probably.

6 MS. LAND: When we get down into Industrial,  
7 we may find a section, and go, Huh, that would fit in  
8 there, and, then, we don't have to worry about  
9 identifying it. We could do somewhat like you did  
10 with square footage and lump things in because who  
11 knows what will come along. You can't always guess.

12 Making a list is just so difficult because  
13 I don't know how many times I've heard, Well, they  
14 want to do it, but it's not listed anywhere. It's not  
15 all-inclusive. People come up with things to do  
16 that -- you know, innovations. They come up with  
17 stuff we aren't expecting. We aren't the  
18 entrepreneurs.

19 MR. EVANS: What makes sense is where it  
20 says, "dealing directly with the consumer." That  
21 makes you think, okay, it's where you drop off and  
22 pick up.

23 MS. LAND: Right. Yeah.

24 CHAIRPERSON TIMMERMAN: I think it ends up

1 being covered in the Industrial.

2 MS. LAND: Okay.

3 CHAIRPERSON TIMMERMAN: Based on what I've  
4 glanced through before. I'll put a mark here as  
5 Industrial.

6 MR. EVANS: Ready for 5.?

7 Business establishments which perform  
8 services on the premises, such as, but not limited to,  
9 banks, loan companies, insurance offices, and real  
10 estate offices.

11 6. Daycare facilities.

12 7. Business --

13 MS. LAND: I added daycare facilities  
14 because I had a note about it, but I wasn't sure if  
15 that is something that you guys want in B-1? That  
16 would be the free-standing daycare kind of thing.

17 MR. EVANS: I think we talked that we didn't  
18 want it in Residential, in some sort of business  
19 district.

20 CHAIRPERSON TIMMERMAN: That's okay,  
21 I guess.

22 MR. EVANS: 7. Business and Professional  
23 Offices and Services. And in parentheses, (add sized  
24 resections).

1 MS. LAND: But, up here, we have, business  
2 establishments which perform services on the premises.  
3 And, then, down here, we have Business and  
4 Professional Office and Services. Are those -- how  
5 are those different from each other? Is one of them  
6 based on the size of the business? Is one of them  
7 based on whether they have clientele coming in and  
8 out, and others are fully where clients don't come in  
9 and they do everything internally?

10 MR. CORDONNIER: I would lump them all  
11 together as professional offices.

12 MS. LAND: That's what I was kind of --

13 MR. EVANS: That's the easy way to do it.

14 MS. LAND: I think the two cases, 7 and --

15 MS. PARGEON: Yeah.

16 CHAIRPERSON TIMMERMAN: And put a square  
17 footage on it?

18 MR. CORDONNIER: Yeah. I mean -- or you  
19 define "professional" or you define "professional  
20 offices" clearly as different than an office building.

21 MR. EVANS: Like, maybe with an employee  
22 count or something? Because somebody says we've got  
23 1,000 people who are going to be working here, that's  
24 a lot --

1 SECRETARY STACY: That's a lot of traffic.

2 MR. CORDONNIER: In general, when I think of  
3 professional offices, I think of one or two  
4 accountants, you know, or a chiropractor. You know,  
5 things along those lines. As long as you create some  
6 difference between that and an office with 250 people,  
7 those are different things.

8 MS. LAND: So for 5 and 7, what are we doing  
9 here? Can we combine them? Do they have to --  
10 business establishments which perform services, and,  
11 then, the other one is business and professional  
12 offices and services.

13 MR. CORDONNIER: I think they are very  
14 repetitive. One is kind of more financial based and  
15 one is just --

16 MR. EVANS: Do you do 5 and just add a  
17 number count, like, under 150, or under 250?

18 MR. CORDONNIER: In the B-1, I would think  
19 professional office would be kind of exactly what --  
20 you know, a chiropractor.

21 MS. LAND: An attorney.

22 MR. CORDONNIER: Employees might be tough.  
23 I would personally lean towards the square footage.  
24 Professional offices, you know, X amount of square

1 feet or less. And, then, I would define professional  
2 offices and just, say, professional office includes  
3 medical, you know, these types of uses, but it's on  
4 the smaller scale that can fit in or near a  
5 neighborhood.

6 There's standard -- a professional office to  
7 me seems to be a zoning term that I've come across in  
8 other codes, so you can kind of borrow one of theirs.  
9 But, to me, if someone came to me and said an office  
10 of 200 people, that's not a small office --

11 SECRETARY STACY: Right.

12 MR. CORDONNIER: -- that is near a  
13 neighborhood. That's more of a bigger type  
14 institution.

15 CHAIRPERSON TIMMERMAN: Right.

16 MS. PARGEON: Like a professional office of  
17 not more than 10 to 15 people running in and out.  
18 And, then, the bigger one would be on that.

19 SECRETARY STACY: So would we want to  
20 further define it by square footage? Like, for  
21 example, like, 2,500, 3,000 square feet? Is that more  
22 in the ballpark of what we would expect of something  
23 in B-1?

24 CHAIRPERSON TIMMERMAN: I think this room is



1 about 1,000 right, just for a rough --

2 MS. PARGEON: Divided up, it's a big enough  
3 space.

4 SECRETARY STACY: So at least two to three  
5 times bigger. That's a decent size.

6 CHAIRPERSON TIMMERMAN: That's getting to be  
7 double the size of this. I think that's a big office.  
8 You know, you're starting to get --

9 SECRETARY STACY: Yeah.

10 MS. PARGEON: Too big.

11 MR. EVANS: There are also doctors' offices  
12 and stuff.

13 CHAIRPERSON TIMMERMAN: Sure.

14 MR. EVANS: I wonder what size Terra Nova  
15 is. I don't know if you're familiar, on Fox Run Road.

16 MR. CORDONNIER: Yeah. In my mind, that's a  
17 little bigger than a professional office. But that's  
18 just in my --

19 MR. EVANS: Right. That's -- kind of  
20 define -- I think that's closer to 5,000.

21 SECRETARY STACY: So maybe we're down to  
22 more like 15 to 2?

23 MR. CORDONNIER: I wouldn't put it, like,  
24 2,500.

1 CHAIRPERSON TIMMERMAN: That's what we used  
2 last for the service establishment.

3 MR. CORDONNIER: I think a little more  
4 research and examples. I didn't get to do the  
5 research. I got more maps made, but I didn't get my  
6 square footage examples researched.

7 CHAIRPERSON TIMMERMAN: I'm okay with 2,500.

8 SECRETARY STACY: Yeah.

9 MR. EVANS: Would you just add that to  
10 Item 5?

11 CHAIRPERSON TIMMERMAN: I think the idea was  
12 to kind of eliminate the list and go by square  
13 footage, so I'd almost just add it to 7.

14 MS. LAND: Why don't we make 5 say, Business  
15 establishments and professional offices doing business  
16 in a facility no larger than 2,500 square feet --

17 MS. PARGEON: That makes --

18 MS. LAND: -- which perform services on the  
19 premises?

20 SECRETARY STACY: Okay.

21 MS. LAND: Leave it there?

22 CHAIRPERSON TIMMERMAN: That's fine.

23 MS. LAND: Sounds okay?

24 SECRETARY STACY: Uh-huh.

1 MS. LAND: And then take out 7 totally?

2 CHAIRPERSON TIMMERMAN: I think so.

3 MS. PARGEON: Yeah.

4 MS. LAND: Okay. Is there anything else  
5 that we don't have covered that you guys would  
6 contemplate or see in B-1?

7 We don't have to worry about all those  
8 things that we were talking about, like, piercing or  
9 tattoo, or any of those things, because we have that  
10 small business and the smaller footprint, you know,  
11 facility size. So we don't have to -- a lot of times  
12 we sit here trying to contemplate all businesses that  
13 can come in. We don't need to do that. You covered  
14 that with the more general, which I think will work  
15 out way better for you in the long run.

16 SECRETARY STACY: Uh-huh.

17 MS. LAND: And it does lean more towards the  
18 more liberal that people aren't going to feel like  
19 you're taking away their property rights because  
20 there's a lot of things they are going to have the  
21 ability to do. You're not stomping on any particular  
22 things. Okay.

23 SECRETARY STACY: Less restrictive.

24 MS. LAND: I guess using the term "more

1 liberal" in Hancock County is kind of a weird thing to  
2 say. Less restrictive.

3 MR. CORDONNIER: I thought lightning was  
4 going to hit.

5 MR. EVANS: We're going to go with 8. Other  
6 uses similar to the above uses.

7 CHAIRPERSON TIMMERMAN: If you're not  
8 listing uses --

9 MS. LAND: Yeah. We aren't really listing  
10 uses any more.

11 MR. EVANS: So take out 8.

12 MS. LAND: Uh-huh.

13 MR. EVANS: 9. Accessory structures and  
14 uses customarily incident to the above Permitted Uses.

15 MS. LAND: That's a nice catch-all to always  
16 keep there for things that we don't realize they need  
17 to have to go with whatever their business is.

18 MR. CORDONNIER: I don't know how legally  
19 sound this is, and I apologize for always saying the  
20 City of Findlay. I'm not trying to make Allen  
21 Township the City of Findlay. We do kind of have a  
22 catch-all statement under Conditional Uses: Any uses  
23 not listed, but -- not listed but similar. It's a  
24 Conditional Use maybe granted by the Planning

1 Commission.

2           So, for example, we had a cat cafe in  
3 downtown Findlay. Is it a restaurant? Is it a  
4 kennel? What is it? And so we -- that was caught  
5 under the catch-all statement. It went to the City  
6 Planning Commission. It's a Conditional Use. The  
7 City Planning Commission heard them, and, then, they  
8 put a limitation, like, you can only -- you can't --  
9 the City's concern was they don't sell much coffee,  
10 and they turn into a cat kennel. They started with  
11 five cats, and now they are boarding 45 cats on the  
12 weekend.

13           MS. LAND: Are they open?

14           MR. CORDONNIER: No. I don't think they  
15 will ever open.

16           MS. LAND: I was, like, really? Where?

17           MR. CORDONNIER: It was a strange situation.  
18 We had two people apply for the same property at the  
19 same meeting. They both were under contract. It was  
20 a whole thing. But, anyway, I don't think that they  
21 ended up being able to purchase the building.

22           MS. LAND: Oh, that sounds fun.

23           MR. CORDONNIER: So having kind of that  
24 catch-all as a Conditional Use, and, then, all

1 Conditional Uses in the code must go to Planning  
2 Commission, so that gives the Planning Commission the  
3 opportunity to review it and place conditions --  
4 approve it, deny it, or place conditions.

5 MS. LAND: There's no Conditional Use  
6 Section in this B-1. Have you guys noticed that?

7 CHAIRPERSON TIMMERMAN: Uh-huh.

8 MS. LAND: It is all Permitted Uses.

9 MR. CORDONNIER: Yeah. I like Conditional  
10 Uses. I feel like it gives the community a little  
11 more say in what's going up.

12 MS. LAND: I like them, too, because they  
13 are a little more vague, and attorneys love vague  
14 because we like to argue and make their cases.

15 That's kind of the -- that puts more onus on  
16 you as a group because you're the one they will come  
17 before to see. And the concept being, if there's a  
18 Conditional Use and they make application for it, they  
19 come to you guys, and you have this kind of  
20 discussion, Is this something that's contemplated and  
21 fits in what we were doing; you're the ones who make  
22 that call.

23 If they think you did it incorrectly, then  
24 they can appeal to your Board of Zoning Appeals, and

1 they can decide if it really did. There's that  
2 process. It is an extra step for residents, though,  
3 who want to do something on their property to have the  
4 Conditional Uses. There are a number of Conditional  
5 Uses we have set up in B-2.

6 CHAIRPERSON TIMMERMAN: Uh-huh.

7 MR. CORDONNIER: When I find it, I'll read  
8 you off kind of what the Ohio Supreme Court language  
9 is that they supported for Conditional Uses on how you  
10 evaluate, and, then, that will give you a feel of kind  
11 of --

12 MS. LAND: Yeah. I don't think we'll put  
13 that in each of these sections. But I think under --  
14 in that miscellaneous stuff that comes later when they  
15 talk about Variances, Conditional Uses. And in  
16 Variances, we put down, you know, what you can look at  
17 and decide if you're going to grant a Variance, or BZA  
18 does.

19 And, then, if there's a Conditional Use,  
20 these are the items that need to be met. People can  
21 look at the code and know I'm going for a Conditional  
22 Use, and these are the list of things that you'll be  
23 considering and they can prepare their argument  
24 appropriately. It may not convince you, but they can

1 prepare.

2 And when it's done that way, it's not a slam  
3 dunk that they say, We did check, check, check; you  
4 must. You know, these are the things that you can  
5 consider. This is our explanation for it.

6 MS. PARGEON: That way they can check into  
7 insurance for what they're planning to do.

8 MS. LAND: And you guys can look at it, and,  
9 you know, when somebody's wanting to develop something  
10 on their property, a lot of times they have some  
11 pretty good tunnel vision of what their dream is and  
12 how they want to do it, and they aren't aware of how  
13 what they are going to do could have an effect on the  
14 area, the general, or their intermediate neighbors.  
15 That's where Conditional Uses come in where you guys  
16 ask those hard questions. What's this going to do to  
17 your neighbor? How are you going to cover this, this,  
18 and this when it happens to your neighbor?

19 If they have a plan that you like, you go,  
20 Oh, yeah. Okay. That'll be okay. If they don't, and  
21 it's a plan that you think is lacking, you can add to  
22 it. You know, that's what the Conditional Use does  
23 for you. It still is -- most of the responsibility is  
24 on the person applying to you to have something in



1 order that you could accept, but you have a framework  
2 to look at, and, then, you guys can decide.

3 CHAIRPERSON TIMMERMAN: Keep going with  
4 Required Conditions at that point.

5 MR. EVANS: Section 802, Required  
6 Conditions:

7 1. All business establishments shall be  
8 retail or service establishments dealing directly with  
9 customers. All goods produced on the premises shall  
10 be sold at retail on premises where produced.

11 2. All business servicing or processing,  
12 except for off-street parking or loading, shall be  
13 conducted within a completely enclosed building.

14 Section 803. Area and Bulk Requirements.

15 See Article XIV, Schedule of Regulations,  
16 permitting height, minimum size of lot by permitted  
17 land use and providing minimum yard setback  
18 requirements.

19 CHAIRPERSON TIMMERMAN: Was that missing on  
20 that section?

21 MS. LAND: Yes, it's missing, because it  
22 came out completely garbled and I didn't remake it  
23 until we have everything added into it. The  
24 conversion did not function well on that. That's for

1 sure.

2 I think that the whole thing they just put  
3 in Word that you'll take any PDF and change it into a  
4 Word document still has a few bugs.

5 CHAIRPERSON TIMMERMAN: Yeah.

6 MR. CORDONNIER: I found the Conditional Use  
7 stuff.

8 MS. LAND: Okay.

9 MR. CORDONNIER: Planning Commission shall  
10 review particular facts and circumstances of each  
11 proposed Conditional Use in terms of the following  
12 standards and shall find adequate evidence showing  
13 that such use of the proposed location:

14 1. Will be harmonious with and in  
15 accordance with the general objectives or within any  
16 specific objective of the Findlay Zoning Code of  
17 current adoption.

18 Will be designed, constructed, operated, and  
19 maintained so as to be harmonious and appropriate in  
20 appearance with existing or intended character of the  
21 general vicinity, and that such use will not change  
22 the essential character of the same area.

23 3. Will not be hazardous or disturbing to  
24 existing or future neighboring uses.

1           4. Will not be detrimental to property in  
2 the immediate vicinity or to the community as a whole.

3           5. Will be served adequately by essential  
4 public facilities and services, such as highways,  
5 streets, police, fire protection, on and on. Or that  
6 persons or agencies responsible for the establishment  
7 of the proposed use shall be able to provided adequate  
8 any such service.

9           So those are the five standards that the  
10 Ohio Supreme Court has kind of -- and if you think  
11 about those five, it's pretty broad. You know, the  
12 surrounding area, services, hazardous or disturbing to  
13 property, et cetera, rather than listing a lot of  
14 conditions.

15           MS. LAND: Right.

16           SECRETARY STACY: Is it possible to print  
17 that off so that --

18           MS. LAND: I'll have it next time. I can  
19 pull it out. It's in the Findlay Code. I can go just  
20 zap it out of there.

21           MR. CORDONNIER: I'll make a note to email  
22 it to you. I think it's the latest code. The  
23 administration hasn't got it up on the website.

24           SECRETARY STACY: I would like the verbiage.

1 You know, like, to be harmonious. That is the intent.  
2 That is what is trying to be accomplished here.

3 MS. LAND: I remember reading that Supreme  
4 Court case when I was looking through some stuff.  
5 It's been kind of the guide that we use. It's just  
6 not written into most of the books, but it can be now.

7 SECRETARY STACY: I'd like to see it in  
8 ours.

9 MS. LAND: Okay.

10 MR. EVANS: Ready to go on?

11 MS. LAND: Do you want to look at the height  
12 and --

13 MR. EVANS: 34?

14 MS. LAND: Yeah. This is one of the things  
15 we just discussed last time a little bit. I don't  
16 know if we talked about it for these. We did for  
17 Expressway Service.

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. LAND: But the minimum yard setbacks on  
20 front, side, and back, and, then, also the height in  
21 feet.

22 Now, in B-1, we have a lower height here,  
23 only 25 feet, which kind of makes sense because they  
24 are going to be pretty close to or, you know, could

1 even be overlapping slightly with some of the  
2 residential areas, and you don't want towering things.  
3 You want something that's more harmonious to the area  
4 that fits in. Is 25 -- how tall is that? Is that two  
5 stories?

6 MR. EVANS: It's maximum two stories. Two  
7 story might be pushing it to a standard 25 feet.

8 MS. LAND: Do you want to make it taller  
9 than that?

10 CHAIRPERSON TIMMERMAN: What would go in  
11 that would need to be more than two stories?

12 MR. EVANS: Well, do you mean, like, three  
13 stories?

14 CHAIRPERSON TIMMERMAN: If we were going to  
15 increase this number.

16 MS. LAND: 25 may not be two stories, right?

17 MR. EVANS: Sometimes you're kind of pushing  
18 it to get --

19 CHAIRPERSON TIMMERMAN: You're trying to say  
20 to accommodate a second story.

21 MS. LAND: Yeah. Do you want to have two  
22 stories or not? That's the question.

23 MR. CORDONNIER: I personally wouldn't go  
24 over two stories.

1 MS. LAND: Not in this section.

2 SECRETARY STACY: No.

3 MS. PARGEON: Just leave it at that.

4 MS. LAND: Do you want to go to two stories  
5 or do you want to stop at one?

6 MS. PARGEON: Go with two stories.

7 MS. LAND: Do you want to make it 30?

8 CHAIRPERSON TIMMERMAN: Can you get a third  
9 story with a flat roof?

10 MR. EVANS: I don't think you can. You'd  
11 have to have 8-foot ceilings on the second and third  
12 floors. And probably with the height, they probably  
13 go by the grade, don't they, surrounding the building  
14 to determine the height of the building?

15 So if that's the case, you would be pushing  
16 it to get a three story in 30 feet --

17 VICE CHAIRPERSON REHUS: Stick with two.

18 MR. EVANS: -- commercial building, unless  
19 they had 8-foot ceilings, like I said, on the second  
20 and third.

21 MS. LAND: That would work out well for you,  
22 8-foot ceilings.

23 (Laughter.)

24 MR. CORDONNIER: No, thank you.

1 CHAIRPERSON TIMMERMAN: So do people want to  
2 take it up to 30 then?

3 MS. PARGEON: That's what we talked about.

4 CHAIRPERSON TIMMERMAN: It's at 25 right  
5 now.

6 MS. PARGEON: Okay.

7 MR. EVANS: It would probably still be a two  
8 story.

9 CHAIRPERSON TIMMERMAN: 30 is still two  
10 stories is the way you're looking at it?

11 MR. EVANS: Yeah. I mean, you would be  
12 hard-pressed to, like I say, 8-foot ceilings on the  
13 second and third floor. You might be able to get  
14 30 feet on a three story.

15 SECRETARY STACY: We're talking two story.

16 MS. LAND: Right.

17 SECRETARY STACY: So 30 feet for two story.

18 CHAIRPERSON TIMMERMAN: Sure. 30 feet then.

19 MR. CORDONNIER: You could even put a  
20 caveat, 30 feet.

21 MS. LAND: No more than two stories.

22 MR. CORDONNIER: No more than two stories.

23 SECRETARY STACY: That would work.

24 CHAIRPERSON TIMMERMAN: I would prefer that.

1 SECRETARY STACY: Yeah.

2 MS. LAND: Setbacks. Are we okay with those  
3 at 30, 10, and 20? I think that is so they can have  
4 parking in the front yard. So if they have a 30-foot  
5 setback, it's not wasted space and they can use it for  
6 parking.

7 CHAIRPERSON TIMMERMAN: Okay.

8 SECRETARY STACY: Uh-huh.

9 MS. LAND: Which is where most businesses  
10 want to have their retail parking.

11 SECRETARY STACY: Right.

12 MS. LAND: And the other minimums and  
13 maximums of cover and unit size don't apply in this  
14 section. At least they didn't before. I don't think  
15 they probably should.

16 MR. EVANS: Are we done with setbacks?

17 MS. LAND: Uh-huh. Go on to the next  
18 section.

19 MR. EVANS: Article IX. B-2, Community  
20 Business District. We have Intent that we've already  
21 read.

22 Section 901. Principal Uses Permitted. In  
23 a Community Business District, no building or land  
24 shall be used and no building should be erected except



1 for one or more of the following specified uses,  
2 unless otherwise provided in this Resolution:

3 1. Office of service establishments such  
4 as, but not limited to the following:

5 A. Office buildings for any of the  
6 following occupations:

7 Executive, administrative, professional,  
8 accounting, writing, clerical, stenographic, drafting,  
9 and sales.

10 MS. LAND: Okay. We're back to the office  
11 building thing, but we don't have any paragraph in  
12 there that incorporates the things that were allowed  
13 in 1. Do we want that?

14 CHAIRPERSON TIMMERMAN: The pyramid thing?  
15 I would say yes.

16 SECRETARY STACY: So you're saying B-1s  
17 could be in B-2s?

18 CHAIRPERSON TIMMERMAN: I think. Do you  
19 agree?

20 SECRETARY STACY: I would think so.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MR. CORDONNIER: I would recommend removing  
23 the occupations.

24 CHAIRPERSON TIMMERMAN: Stick with square

1 footage again?

2 MR. CORDONNIER: In this area, no, I don't  
3 really have -- I would say depending on how -- if it  
4 be B-2, B-3, but, at some point, I have no concerns  
5 that we build as large of an office building as they  
6 like. That's just --

7 CHAIRPERSON TIMMERMAN: Sure.

8 MS. LAND: Should it just say "office  
9 buildings"?

10 MR. EVANS: Yeah. Because if it's an  
11 office, what makes the difference what they're doing  
12 in there?

13 MR. CORDONNIER: I mean, it could be a call  
14 center. It could be -- it could be a lot of different  
15 things.

16 MS. LAND: Could be done to Mifflin.

17 MR. CORDONNIER: That's right.

18 MS. LAND: When we get to the off-street  
19 parking, is that based on the occupancy, the number of  
20 parking that they have, or the size of the building?  
21 I can't remember and I haven't look at it for while.

22 MR. CORDONNIER: I don't know how this code  
23 does off-street parking.

24 MS. LAND: When we get to that, we'll have

1 to try to keep in mind that we're just saying office  
2 buildings. We also have to make sure that what the  
3 off-street parking that we are requiring will be  
4 adequate for the size of the number of people.

5 If it's going to be an office building with  
6 ten people, okay. If it's going to be one with, you  
7 know, 200 people, we have to take into account that  
8 they need the parking. Not having parking for your  
9 building stinks.

10 SECRETARY STACY: Yeah.

11 MR. EVANS: We're going to remove the  
12 occupations on that?

13 MS. LAND: Yeah. And it will just be office  
14 buildings for A.

15 MR. CORDONNIER: When you're driving by, you  
16 don't know if they are CAD drawing. It doesn't  
17 matter. It's an office building.

18 MS. LAND: Yes.

19 MR. EVANS: B. Medical Office, including  
20 clinics.

21 C. Hospitals.

22 MS. LAND: Should we put medical offices,  
23 clinics, and hospitals?

24 MR. EVANS: On the same line?

1 CHAIRPERSON TIMMERMAN: Or in B-2, were you  
2 asking?

3 MS. LAND: Yeah. Do you want hospitals in  
4 B-2?

5 CHAIRPERSON TIMMERMAN: If we're going to  
6 have a B-3, I think that's probably where it goes.

7 MS. LAND: Okay.

8 MS. PARGEON: Because from the medical  
9 office, including clinics, they'll send to the bigger  
10 hospitals, if need be.

11 MS. LAND: Clinics are -- I think would  
12 be -- would that be a same-day surgery center, or does  
13 that go into the hospital?

14 MS. PARGEON: That would go into the  
15 hospital.

16 MR. EVANS: What's Physicians Plus? Are  
17 they classified a hospital?

18 MS. PARGEON: They send them to Blanchard  
19 Valley Hospital. It's a patch-up station until they  
20 can get them to a bigger place.

21 MR. EVANS: I guess what I'm asking is what  
22 defines a hospital as a hospital as opposed to --

23 MS. LAND: Versus a clinic.

24 MS. PARGEON: Surgery rooms.

1 MR. CORDONNIER: That's where --

2 MS. LAND: Hospitals have the ability to for  
3 in-stay. The clinics do not, but they may do the same  
4 work.

5 MR. CORDONNIER: And that's where, you know,  
6 your Definitions section is -- one of the -- it's more  
7 important than you think because -- or maybe we all  
8 think it's important. But that's where you define  
9 what a hospital is, and that's where you define what a  
10 medical clinic is.

11 And, unfortunately, you know, we could  
12 have -- end up with 300 or 400 definitions, you know.  
13 You have to -- I think part of my -- or part of the  
14 process, and this is just a suggestion, is kind of  
15 working all this out, maybe making notes, like, we  
16 probably need a definition for this.

17 MS. LAND: That's what I've been doing.  
18 Whenever we come across something that I don't think  
19 we already have a definition for, I'm making a note to  
20 go find one that we can discuss. We're running across  
21 them here occasionally, things like, what's a hospital  
22 versus a clinic.

23 MR. CORDONNIER: And, then, not to muddy the  
24 waters a little bit, but it's an issue that we deal

1 with a lot is rehab facilities, and whatever your view  
2 on any of it is. A lot of people --

3 MS. LAND: Rehab facilities and halfway  
4 houses and rehab houses.

5 MR. CORDONNIER: A lot of people have a lot  
6 of concerns with those, and so it's something you  
7 might want to address in the code.

8 MS. PARGEON: Well, they usually have a time  
9 limit on those that a person can be there.

10 MS. LAND: But they are still there and are  
11 still functioning there, and they will have people  
12 living there.

13 The other thing is ADAMHS occasionally  
14 builds residential centers. They have one over by the  
15 senior center, Vasu Point (phonetic). It's not really  
16 an apartment complex, it's more of assisted living for  
17 mental health people. You decide where you want  
18 those. You don't want them in Residential. Do you  
19 want them in Residential? Are they something to be  
20 permitted?

21 That's where the optimal place to put the  
22 recovery homes are is in a regular neighborhood where  
23 people assimilate back into society. What kind of  
24 rules do you want to put on them? Do you want to make

1 then Conditional Uses? That's one of things to think  
2 about.

3 MS. PARGEON: Make it a Conditional Use.  
4 It's easier if they are at a place like Birchhaven  
5 because they have the different setups for the ones  
6 that need care every day. They have the ones that  
7 they can go and get their meals and it's not -- they  
8 have these different buildings for everything. And  
9 they have -- they had built not so long ago apartments  
10 for people to stay. They can eat in the dining room,  
11 if they want. But the dining room isn't always  
12 available, so they can go to restaurants and go where  
13 they want and come and go as if they are renting a  
14 regular apartment.

15 MS. LAND: The recovery houses are the  
16 things that I think will be the most problematic.

17 MR. CORDONNIER: Those. But also the  
18 recovery houses, to me, is, like, a separate category  
19 and those can be for a lot of different types of  
20 recovery.

21 And, then, there's outpatient rehab centers  
22 where everyone -- you get your medication on a daily  
23 or weekly basis. But, then, there are facilities  
24 where you live overnight, and they have medical

1 professionals on site.

2 So my recommendation there -- this is  
3 something you guys will want to discuss because they  
4 will come in and say, We are a medical clinic -- we're  
5 a medical clinic without further documentation --

6 MS. LAND: You may want to get a --

7 MR. CORDONNIER: -- that they are a  
8 medical --

9 MS. LAND: -- definition that identifies  
10 inpatient or outpatient kind of treatment.

11 MS. PARGEON: Definitely.

12 MS. LAND: If they provide for overnight,  
13 then, put them in a category that's different than the  
14 doctor's office where you walk in, get your treatment  
15 and walk out.

16 But the treatment facilities where they come  
17 for daily, are not -- I don't think going to be a big  
18 thing for much longer because, now, they can get a  
19 prescription, go to the prescription counter, get  
20 them, and take care of themselves at home. That's now  
21 being permitted.

22 MR. CORDONNIER: I know we have two or  
23 three -- there's two or three of the outpatient ones  
24 in Findlay. And, then, inpatient, I know Manor Hill,



1 that was quite a ruckus when it went through. But,  
2 luckily, it's not been an issue since it's been  
3 approved. But, yes. So that just -- I just was  
4 dealing with that today.

5 MS. LAND: We're using all of these, you  
6 know, polite, you know, treatment facilities. You  
7 know, they're like -- they used to be called methadone  
8 clinics. That's where a lot of drug-addicted people  
9 come to be able to get their treatment which has some  
10 impact on neighbors.

11 CHAIRPERSON TIMMERMAN: For sure.

12 MS. LAND: So those things that you want to  
13 keep in mind. My son is a pharmacist, and he said,  
14 down in Columbus, they just get prescriptions for  
15 Suboxone. They just pick it up from them once a week.  
16 They sell a lot of it.

17 MR. CORDONNIER: It's quite the problem.

18 MS. LAND: It is quite the problem.

19 SECRETARY STACY: Yeah.

20 MR. EVANS: Okay. Where are we?

21 Personal Service Establishments, including  
22 barber shops, beauty shops, and nail salons.

23 3. All retail business service  
24 establishment or processing uses.

1 MS. LAND: Back to personal service  
2 establishments. Up in 1 we dealt with that. We took  
3 out "personal," and we made it with a size limit. So  
4 do you want to do service establishments, and, then,  
5 make a larger size limit here?

6 CHAIRPERSON TIMMERMAN: That makes as much  
7 sense.

8 MS. LAND: So we have 2,500 square feet for  
9 the -- in B-1, which took into account the small  
10 storefront kind of businesses. This is a more -- less  
11 walking area, more driving area. It could be a bigger  
12 business. Do you want to put in a larger square  
13 footage that's permissible?

14 MR. CORDONNIER: Or you can just -- personal  
15 service establishments exceeding 2,500 square feet.

16 MS. LAND: Oh.

17 SECRETARY STACY: There you go.

18 MR. EVANS: With no maximum?

19 MR. CORDONNIER: Correct. Ultra mega salon,  
20 200,000 square feet.

21 (Laughter.)

22 MR. CORDONNIER: That's my thought.

23 MS. LAND: Then we don't have to worry about  
24 it.

1 SECRETARY STACY: Yeah.

2 MR. CORDONNIER: The same would kind of go  
3 for retail. Retail exceeding whatever size threshold  
4 is researched and kind of come up with.

5 MS. LAND: So in No. 3 here --

6 CHAIRPERSON TIMMERMAN: But if you do retail  
7 exceeding that 30,000, that's getting into the  
8 Walmarts and whatnot. Didn't we say you wanted that  
9 in the B-3 rather than B-2?

10 MS. LAND: Walmarts are, like, 100,000.

11 CHAIRPERSON TIMMERMAN: That's still  
12 exceeding.

13 MR. CORDONNIER: That's true. I keep going  
14 on the --

15 CHAIRPERSON TIMMERMAN: You're thinking 2.

16 MR. CORDONNIER: Thinking of 2. Yeah.

17 CHAIRPERSON TIMMERMAN: Right. So do we  
18 want "exceeding" here on this one, or should  
19 "exceeding" be in B-3?

20 MR. CORDONNIER: But even -- I would say,  
21 you know, personal service establishments, they are,  
22 by nature, fairly small.

23 CHAIRPERSON TIMMERMAN: I don't disagree. I  
24 was looking at the list.

1 MR. CORDONNIER: Yeah.

2 MS. LAND: Well, could not be. What about a  
3 gym? Where does that fall? Isn't that a personal  
4 service establishment?

5 SECRETARY STACY: When you say health  
6 salon --

7 MR. CORDONNIER: It depends on how you  
8 define personal service establishment.

9 MS. LAND: We can't define that. There's no  
10 way you can do a definition for personal service  
11 establishment. There are too many personal services  
12 that could be included. That's what we're trying to  
13 get away from.

14 SECRETARY STACY: So it's a health salon,  
15 like a gym, because that could be quite large.

16 CHAIRPERSON TIMMERMAN: Right.

17 MS. LAND: Or a yoga studio.

18 SECRETARY STACY: Do we want to put a cap,  
19 exceeding 2,500, but less than --

20 MR. EVANS: 5,000 or something.

21 CHAIRPERSON TIMMERMAN: I think this might  
22 be -- I think B-2 might be a place to still have a  
23 cap, and B-3 would be anything above.

24 MS. LAND: What cap would you think is good?

1 MR. EVANS: Something in the \$4,000 to  
2 \$5,000 range.

3 MS. LAND: Square feet.

4 SECRETARY STACY: Did you say dollar?

5 MR. EVANS: Yeah.

6 MR. CORDONNIER: We know what you meant.

7 CHAIRPERSON TIMMERMAN: 4 to 5.

8 SECRETARY STACY: We said a Dollar General  
9 was how large? I think she said 10.

10 MR. EVANS: If you do 5,000, that's half the  
11 size of a Dollar General.

12 MS. LAND: Or you could do 10. Dollar  
13 Generals aren't that large, and they could have a yoga  
14 studio or exercise place.

15 MS. PARGEON: It doesn't have to be super  
16 big.

17 SECRETARY STACY: I think cap it at 10.

18 CHAIRPERSON TIMMERMAN: That seems  
19 reasonable, I guess.

20 MS. LAND: Okay.

21 MR. EVANS: Ready for 3, then?

22 All retail business, service establishments  
23 or processing uses as follows:

24 A. Any retail business whose principal

1 activity is the sale of merchandise in an enclosed  
2 building.

3 CHAIRPERSON TIMMERMAN: But there's no size  
4 again on this. Want to use the same numbers we had  
5 for personal service?

6 SECRETARY STACY: Rewrite it to say "retail  
7 and personal service" --

8 MR. EVANS: And just combine them.

9 SECRETARY STACY: -- "exceeding 2,500 to  
10 10,000."

11 MR. EVANS: Kind of combine 2 and 3, but  
12 would basically --

13 MR. CORDONNIER: I would say this: I  
14 wouldn't stress out too much about the square footage.  
15 I'd come up with kind of a general idea of what you're  
16 looking at, and I will, hopefully, next meeting, or  
17 so, bring in a lot of examples for people to --

18 SECRETARY STACY: Okay.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. CORDONNIER: -- for people to kind of  
21 wrap their head around the size.

22 MS. LAND: We'll leave that in blue for now  
23 because we have to revisit it.

24 SECRETARY STACY: Yeah.

1 MR. EVANS: 4. Private clubs, fraternal  
2 organizations, and lodge halls.

3 5. Theaters, assembly halls, concert halls,  
4 or similar places of assembly when conducted  
5 completely within the enclosed building.

6 6. Business schools and colleges or private  
7 schools operated for profit.

8 7. Other uses similar to the above uses.

9 8. Accessory structures and uses  
10 customarily incident to the above Permitted Uses.

11 Seems like No. 4, private clubs, seems to  
12 cover quite a bit maybe. That's not a big deal,  
13 private. I'm not sure what the definition of a  
14 private club would be.

15 CHAIRPERSON TIMMERMAN: I don't know the  
16 definition. Are we talking Eagles or the Moose Lodge?

17 MS. LAND: There are those --

18 SECRETARY STACY: Fraternal.

19 MS. LAND: -- fraternal organizations. That  
20 would be country clubs, private clubs.

21 MR. EVANS: Going down to Section 902,  
22 Required Conditions.

23 MS. LAND: Are you okay with private clubs  
24 and country clubs in that district?

1 MR. EVANS: Yeah. I just didn't know, like,  
2 what is a private club. I want to put here, What is a  
3 private club?

4 MS. PARGEON: If they want to put a golf  
5 course and all that stuff.

6 MR. EVANS: I know the good things that kind  
7 of fall into that category. I'm just not too sure  
8 about the other things.

9 MS. LAND: There could be some pretty bad  
10 things.

11 MR. EVANS: Maybe we've got a book store.

12 MS. LAND: Unfortunately, though, even if we  
13 don't like what they are, if they are legal, then,  
14 they have to still fit in there.

15 MR. EVANS: Right. That's why I didn't  
16 know, like --

17 MS. LAND: Now, the stuff like the  
18 bookstore, that's going to be covered because we're  
19 going to add in the section that -- the trustees  
20 adopted a regulation of adult entertainment and book  
21 stores. We'll include that in your zoning. That will  
22 just get incorporated in, so those will be able to  
23 be -- if it's something that maybe, say, it's a  
24 private club, but if it falls down into that other



1 thing, it's still regulated.

2 MR. EVANS: That's good, I think.

3 MR. CORDONNIER: Casey helped with that,  
4 didn't he?

5 MS. LAND: He wrote them all. It was his  
6 pet project.

7 MR. EVANS: So 902. Required Conditions.

8 1. All business establishments shall be  
9 retail or service establishments dealing directly with  
10 customers. All goods produced on the premises shall  
11 be sold at retail on the premises where produced.

12 2. All business servicing or processing,  
13 except for off-street parking, loading, and those  
14 open-air uses indicated as being subject to Special  
15 Conditions in Section 1103 below, shall be conducted  
16 within completely enclosed buildings.

17 MS. LAND: These are Required Conditions not  
18 Conditional Uses. So keep that in mind. Those are  
19 just the general, they'll go to everything. Okay.

20 MR. EVANS: Section 903. Principal Uses  
21 Permitted, subject to Special Conditions:

22 1. Open-air business uses when developed  
23 and planned for in the B-2 District as follows:

24 A. Retail sales of plant material, not

1 grown on the site, and sales of lawn furniture,  
2 playground equipment, and garden supplies, provided  
3 further that such uses shall be located at the  
4 exterior end of the building mass located in the  
5 B-2 District.

6 B. Recreational Space.

7 MS. LAND: Go back there a minute. When  
8 they said "exterior end of the building mass," does  
9 that mean that, if they have a greenhouse or a  
10 showroom of play equipment or little sheds, or  
11 whatever, it has to be behind their office or their  
12 retail building? Is that what that implies?

13 MR. CORDONNIER: Good question.

14 MS. LAND: Because, usually, if you're  
15 selling stuff like that, do you want it out by the  
16 street?

17 MS. PARGEON: Yeah. But you don't -- you  
18 want it fenced in. You don't want all the kids in the  
19 neighborhood playing there all the time.

20 MS. LAND: Well --

21 SECRETARY STACY: Just like The Grainery.

22 MS. LAND: That's exactly what I was  
23 thinking. Or the sheds over there by Menard's.  
24 That's not Menard's. Down 224.

1 MR. EVANS: Tractor Supply.

2 CHAIRPERSON TIMMERMAN: Tractor Supply.

3 MS. LAND: That's it. Do you want to keep  
4 that or do you want to move that to B-3? Garden  
5 supply places are not usually that offensive to have  
6 around.

7 SECRETARY STACY: No, not at all.

8 MS. LAND: But telling them they have to put  
9 everything behind their building might not be --

10 MS. PARGEON: Yeah.

11 CHAIRPERSON TIMMERMAN: Is that what  
12 "exterior end of the building mass" means?

13 MS. LAND: No idea. That's why I'm asking  
14 what you guy think it means because you're the ones  
15 that are going to have to tell people what it means.

16 MR. CORDONNIER: That would be my guess.

17 MS. LAND: Mine, too.

18 MS. PARGEON: It says the exterior end of  
19 the building.

20 MR. EVANS: Seems like we should be able to  
21 clean that up so that there's not a question.

22 SECRETARY STACY: Right.

23 MS. PARGEON: Because they want to display  
24 stuff that people can see from the street.

1 MR. EVANS: Of course.

2 MS. LAND: Right. The other thing, which is  
3 just sort of a human nature thing, if we require  
4 people to have stuff where the public can't see it  
5 immediately, things are more likely to get a little  
6 junky because, if they have to save face and look good  
7 to get people to come in and it's out in the front,  
8 they take better care of what's going on. That's  
9 just -- you know, some people's backyards aren't  
10 nearly as well landscaped and manicured as the front  
11 because people don't see that.

12 CHAIRPERSON TIMMERMAN: Right.

13 SECRETARY STACY: Yeah.

14 MR. EVANS: Does it really mean anything?

15 MR. CORDONNIER: I'd say, conversely, I  
16 swear, every business in Findlay wants to put things  
17 out in their parking lot for sale.

18 MS. LAND: Yeah.

19 MR. CORDONNIER: Some people find that  
20 rather --

21 MS. LAND: Off-putting.

22 MR. CORDONNIER: -- off-putting. Yeah.

23 MS. PARGEON: But, then, it doesn't sink in  
24 the mud if it's in the parking lot.

1 MR. CORDONNIER: Well, no. A lot of the  
2 communities' stance is it should be in the store, not  
3 just sitting in the parking lot for sale.

4 MS. LAND: Like the tables on the streets,  
5 you end up walking out on the curb, balancing to get  
6 around the tables at lunchtime.

7 MR. CORDONNIER: Outdoor storage is a  
8 subject that pops up a lot.

9 MS. LAND: Yeah.

10 MS. PARGEON: It shouldn't be encouraged  
11 because birds come along, too.

12 MR. EVANS: Would it make a difference if we  
13 just eliminated that very -- where it starts "to be  
14 located," and end at the "district"? Does that really  
15 say anything?

16 MS. LAND: The parking lot issue, they still  
17 need to have the amount of off-street parking that  
18 we're going to require. So I don't think, even if  
19 they put it in front, that they can put it in their  
20 parking area.

21 MR. CORDONNIER: If I were writing a code,  
22 I would personally prohibit outdoor storage of things  
23 for sale. Just thinking of this, like, in the B-1 and  
24 B-2 districts, you just can't do it. And, then,

1 maybe --

2 MS. LAND: Which would move to this B-3.

3 MR. CORDONNIER: Then, maybe, like,  
4 commercial nurseries, and things like that, where you  
5 sell things outside maybe would go into the B-3  
6 district.

7 CHAIRPERSON TIMMERMAN: I'm okay with that  
8 idea. Anybody else?

9 MS. PARGEON: Yeah.

10 CHAIRPERSON TIMMERMAN: You like that?

11 MS. PARGEON: B-3. Yeah.

12 MR. CORDONNIER: I'd maybe just put a note  
13 in B-1 and B-2, outdoor storage of materials is  
14 prohibited. Outdoor storage of merchandise for sale  
15 is prohibited, something along those lines.

16 And, then, in B-3, outline your stipulations  
17 for outdoor storage of materials and merchandise, you  
18 know, whether it be enclosed within a fence or whether  
19 it be wherever, or it's a free-for-all, or it's behind  
20 the front façade of the building. Whatever you guys  
21 think.

22 And, then, in the Industrial Districts,  
23 Findlay allows outdoor storage of things for --  
24 there's really no limit on outdoor storage, as long as

1 it's enclosed within a fence. It doesn't have to be a  
2 private -- it's just as long as it's enclosed by a  
3 fence.

4 MS. LAND: You know, when we change this,  
5 though, to say, "Retail sales of the plant materials  
6 not grown on the site and sales of lawn furniture,"  
7 the reason we say "not grown on the site," because if  
8 they are selling stuff that's grown on the site, it's  
9 an agricultural use and you don't have the ability to  
10 regulate it.

11 SECRETARY STACY: Okay.

12 MS. LAND: Retail sales of plants, materials  
13 not grown on the site, and sales of lawn furniture,  
14 playground equipment, and garden supplies, provided  
15 further that no merchandise is stored outside the  
16 building, which is very much like we have in B-1; that  
17 the business has to be entirely carried on inside the  
18 building.

19 MR. CORDONNIER: Yeah.

20 MS. LAND: So maybe --

21 MR. CORDONNIER: I don't really care what  
22 you're selling, within reason. Obviously there are  
23 the exceptions.

24 But, in general, if you're selling plants or

1 you're selling rocking chairs, that's no different.  
2 To me, it's a retail use, and it should be done  
3 entirely within the building within B-1 and B-2.

4 MR. EVANS: The only thing that would be  
5 tougher is if you had playground equipment. I think  
6 at The Grainery, I think you can't have your stuff  
7 outside anymore.

8 MS. LAND: And sheds. Yeah. How would they  
9 do that?

10 MR. EVANS: You can't have your sheds. You  
11 can't have your Polly chairs, your kids playground  
12 things outside anymore. They can't take their  
13 playgrounds inside to sell.

14 MR. CORDONNIER: Maybe it's not a good place  
15 for them to do business.

16 MR. EVANS: It would just have to be --

17 MS. LAND: Do we want to leave this in here  
18 at all or just remove it and put it in B-3? With --  
19 and just have -- take out where they could store their  
20 stuff, but say how they have to have certain screening  
21 or protection of their stuff.

22 MR. CORDONNIER: To me, this sentence is  
23 only there because it's allowing for the outdoor  
24 storage of these items.



1 MS. LAND: Right.

2 MR. CORDONNIER: So depending on which way  
3 you want to go with that depends if we want this in  
4 there.

5 MS. LAND: Why do we need it at all if we  
6 aren't going to have it for something that allows for  
7 outside storage, because we already have, in B-1, any  
8 retail sales is going on inside a building is  
9 permitted in B-1s are permitted in B-2s? It's already  
10 permitted. So we don't really need it if we aren't  
11 identifying these certain things that can have outside  
12 storage.

13 MR. CORDONNIER: I don't think -- if we  
14 don't want outdoor storage of merchandise or materials  
15 in B-2, then it should just --

16 MS. LAND: Is that where you guys are  
17 looking? What do you think of that?

18 CHAIRPERSON TIMMERMAN: You're saying remove  
19 what part then; A?

20 MS. LAND: The whole Section A.

21 CHAIRPERSON TIMMERMAN: I think so.

22 I mean, initially, we were going to combine,  
23 you know, B-1 and B-2, so I think keeping it's more  
24 similar to B-1 than to B-3.

1 MS. LAND: And have B-1, you know, the  
2 cascade down, it's still going to be permitted, but  
3 inside.

4 CHAIRPERSON TIMMERMAN: Right.

5 MS. LAND: We'll move this to 3, and, then,  
6 put, like Matt was saying, some stipulations on how  
7 they store outside merchandise and limitations on what  
8 they can have so they don't end up with a whole carlot  
9 full of weird stuff. Sort of like the creepy statues.

10 MR. CORDONNIER: My pet peeve is gas  
11 stations that sell mulch.

12 MS. LAND: Yeah.

13 MS. PARGEON: Stacked all over the place  
14 where they shouldn't be.

15 VICE CHAIRPERSON REHUS: Broken bags.

16 MS. LAND: The sasquatch statues that are  
17 8 feet tall.

18 MR. CORDONNIER: Those just make me laugh.

19 MS. LAND: One of the girls who used to work  
20 there works for the county now, and she said the first  
21 one they got was for catching people's attention.  
22 They can't keep them on the lot. People keep buying  
23 them and they have to get another one.

24 MR. CORDONNIER: That's crazy.

1 MS. LAND: All righty then.

2 CHAIRPERSON TIMMERMAN: Section B then?

3 MS. LAND: Uh-huh.

4 MR. EVANS: Where are we at?

5 MS. LAND: Section B.

6 CHAIRPERSON TIMMERMAN: Page 4 at the top.

7 MR. EVANS: Oh, I'm sorry.

8 Recreational space providing children's  
9 amusement parks and other similar recreation when part  
10 of a planned development, provided further that such  
11 use be located at the exterior end of the building  
12 mass located in a B-2 District, not at the  
13 intersection of two major thoroughfares. Such  
14 recreational space shall be fenced on all sides with a  
15 4-foot, chain-link-type fence.

16 MR. CORDONNIER: Some of this is really bad.

17 CHAIRPERSON TIMMERMAN: What is this  
18 exactly?

19 MR. CORDONNIER: I guess my first thought, I  
20 mean, this is --

21 MS. PARGEON: Is this a playground or is  
22 this a park?

23 MR. CORDONNIER: I haven't looked ahead in  
24 the story. Is there a PUD Section proposed in the

1 code?

2 MS. LAND: (Shakes head.)

3 MR. CORDONNIER: Okay.

4 MS. LAND: Not yet. That's one of the  
5 things you're supposed to explain.

6 MR. CORDONNIER: That's fine. I just think  
7 you scratch this.

8 MS. LAND: It just makes sense to me.

9 MS. PARGEON: Yeah. I can understand why  
10 they don't want it near the intersection.

11 CHAIRPERSON TIMMERMAN: There is a Planned  
12 Unit Development coming up.

13 MS. LAND: I really dislike things for kids  
14 that have a chain-link fence around them. Put barbed  
15 wire on the top? It's so much like a prison.

16 MR. EVANS: Get rid of B?

17 MS. LAND: Yeah.

18 MS. PARGEON: It's supposed to keep the bad  
19 guys out.

20 MS. LAND: Do we need 1 then? Open-air  
21 business used when developed and planned in  
22 relationship with B-2 Districts as follows: These are  
23 A and B under Section 1.

24 CHAIRPERSON TIMMERMAN: There's no reason to

1 have it at that point.

2 MS. LAND: So do we even need Section 1 up  
3 there then?

4 CHAIRPERSON TIMMERMAN: Probably not.

5 SECRETARY STACY: I don't think so.

6 MR. CORDONNIER: I see what you're saying.  
7 I was looking for it, and I'm not seeing -- gotcha.

8 MS. LAND: Yeah. We took away all the  
9 instances, so there's no point in having it there.

10 SECRETARY STACY: Right.

11 MR. EVANS: Ready for 2?

12 MS. LAND: I added indoor soccer or baseball  
13 facility because we discussed things like that the  
14 last time, but it's up to you guys.

15 SECRETARY STACY: Right.

16 MR. EVANS: Bowling alley, billiard hall,  
17 indoor archery range, indoor tennis courts, indoor  
18 skating rink, indoor soccer or baseball facility, or  
19 similar forms of indoor commercial recreation when  
20 located at least 100 feet from any front, rear, or  
21 side yard of any Residential District.

22 3. Automobile service centers when  
23 developed as part of a larger planned shopping center  
24 designed so as to integrate the automobile service

1 center within the site plan and architecture of the  
2 total shopping center, provided further that a  
3 building permit shall not be issued separately for the  
4 construction of any automobile service center within  
5 the B-2 District.

6 MS. LAND: Is that like a Walmart with the  
7 tire center in it?

8 MS. PARGEON: Sounds like.

9 CHAIRPERSON TIMMERMAN: That wouldn't even  
10 apply -- I mean, like, a Walmart wouldn't apply in  
11 B-2. It would be a B-3 thing.

12 MS. LAND: Right. Are they talking about  
13 the permit to build a shopping center, like a strip  
14 mall that has one of these in them? Why is that  
15 listed there?

16 MR. CORDONNIER: You know, I feel like  
17 there's a trend with this code, the way it's  
18 formatted, in that I feel like they -- to me, 2 is  
19 indoor recreational facility. And, then, the  
20 definition of an indoor recreational facility is kind  
21 of more of that.

22 And, then, 3, I don't -- so the way we  
23 differentiate, in Findlay is, there's automotive  
24 service center, and that's like -- is it Bell Tire?

1 You know, your Fire -- you know, your four or five  
2 bays, you service cars, or quick oil changes. We have  
3 two new ones going up in Findlay here soon.

4 MS. PARGEON: Wow. Not enough of them yet?

5 MR. CORDONNIER: The more intense is kind of  
6 the auto body -- the collision repair shops which tend  
7 to have -- you know, store cars for a week, you know  
8 waiting, for --

9 MS. PARGEON: Or more until they find  
10 pieces.

11 MR. CORDONNIER: Or more until they find the  
12 pieces.

13 That's just a little bit how we  
14 differentiate. So if I were thinking of it, I would  
15 say, you know, automotive service centers, if you  
16 want, permitted in B-2. And, then, collision centers,  
17 you would consider B -- maybe B-3, or the like.

18 You could even go Light Industrial with  
19 collision centers. But I think Findlay is I-1 for  
20 collision centers.

21 MS. LAND: I would think body shops or  
22 collision centers would be in Industrial because they  
23 can be loud. They can have a lot of external effect  
24 on the neighbors with the cars that are parked there.

1 MR. CORDONNIER: That all squares with me.

2 I can't remember how the old Kia dealership  
3 by The Olive Garden, because that's not zoned I-1, but  
4 that's --

5 MS. LAND: That had been there for a really  
6 long time. Maybe even before it got pulled into the  
7 City.

8 MR. CORDONNIER: It was the dealership. But  
9 it came -- anyway, collision centers I recommend in  
10 I-1. And, then, your general service, I don't have  
11 much issue being in B-2 and B-3.

12 CHAIRPERSON TIMMERMAN: How about, like, a  
13 dealership? Is that more of a B-3 thing at that  
14 point?

15 VICE CHAIRPERSON REHUS: I would think so.

16 MR. CORDONNIER: Yeah. I mean, they are  
17 usually larger. They want to be very large in scale.

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. LAND: We have that currently under B-3.

20 MR. EVANS: That's new car lots.

21 MS. LAND: New and used.

22 MR. EVANS: So used auto.

23 MR. CORDONNIER: Keep it. We have --  
24 everyone and their brother wants to start a dealership



1 and they want to do it in the oddest places. I  
2 recommend B-3 for new and used. A pet peeve of mine  
3 also.

4 CHAIRPERSON TIMMERMAN: So do we simplify  
5 3 to be, like, auto service center, but, I mean,  
6 they're calling it out as part of a planned shopping  
7 center?

8 MR. CORDONNIER: That's all just weird  
9 stuff.

10 MR. EVANS: Is that, like, where you put a  
11 Bell Tire beside a strip mall kind of thing?

12 MR. CORDONNIER: I don't know exactly what  
13 they are aiming for. Part of me thought of the  
14 Walmart service center.

15 MS. LAND: That was my first thought, too.

16 MR. CORDONNIER: But, then, I'm almost  
17 envisioning, the way they describe the architecture,  
18 and, you know, you have a 1975 shopping center and  
19 it's got a Swiss look to it and you have an automobile  
20 center and it has that same look, then it's fine. But  
21 that's why you --

22 MS. LAND: Who does that?

23 MR. CORDONNIER: That's just not today. So  
24 my recommendation is you scratch most everything and

1 just --

2 MS. LAND: Automobile service center.

3 MR. CORDONNIER: Yeah.

4 MS. LAND: Do you identify that or define  
5 that?

6 MR. CORDONNIER: I think we do need to  
7 define that, yes. Because, then, you start getting  
8 into these weird areas of, like, transmission service  
9 where it's more than just -- you know, I'm there for  
10 one -- you know, it could be there a long time also.

11 MS. LAND: So it would probably, in the  
12 Definitions, include without outside storage?

13 MR. CORDONNIER: Well, then, you get into  
14 cars and is that storage or parking? You know, my car  
15 is at Bell Tire. You know, it becomes just a gray  
16 area that I've run into a lot.

17 MS. LAND: How do we keep that from  
18 happening? Isn't that kind of what we want it to be  
19 defined as in B-2; that there are ones that don't have  
20 a bunch of cars sitting there waiting to be worked on,  
21 unless the person is sitting in it, waiting to roll in  
22 for their next person in line?

23 MR. CORDONNIER: I don't disagree. I know,  
24 in my career, I've run into a lot of am I storing the

1 cars or are they parked there?

2 MS. LAND: How do we identify that?

3 MS. PARGEON: How soon are the parts coming  
4 in?

5 MR. EVANS: The new body shop that's on  
6 Tiffin Avenue -- is that Caliber, or something like  
7 that -- it seems like they keep all of their cars  
8 behind. You don't even know that that's a body shop.

9 MR. CORDONNIER: It was a Conditional Use,  
10 and that was one of the requirements.

11 MR. EVANS: That's smart.

12 MS. LAND: Is that where the Kia dealership  
13 used to be?

14 MR. CORDONNIER: Yeah.

15 MR. EVANS: So it's nice that, regardless of  
16 what that is, if that was a transmission shop or  
17 anything, if they somehow could define where all of  
18 the parking on cars -- overnight parking or whatever  
19 has to be behind.

20 MS. LAND: It may not be seen from the  
21 street, but the neighbors would see it. That could  
22 be --

23 MR. EVANS: Unless you do a fence then?

24 MS. LAND: Yeah.

1 MR. EVANS: I don't know if they've got a  
2 fence behind there. But it is nice. I like that you  
3 don't see anything. Yeah. I mean, that's a good  
4 example of kind of how a Conditional Use, even if it's  
5 a permitted use, they have to go to the Planning  
6 Commission, and, there -- I feel like there's more  
7 liberty to put a lot of conditions on a Conditional  
8 Use than there is -- you can still put conditions on a  
9 Permitted Use, but I think it's a little more  
10 stringent of a test when it's a Permitted Use and you  
11 start getting kind of out there in the weeds about  
12 different conditions and things.

13 MS. LAND: These are under Conditional Uses?

14 MR. EVANS: So for that, would you say --

15 MR. CORDONNIER: One thing, you could put  
16 the automotive service centers, automotive service  
17 facilities under a Conditional Use.

18 MS. LAND: Okay. This is Principal Uses  
19 Permitted, subject to Special Conditions. Should we  
20 say subject to Conditional Use?

21 MR. CORDONNIER: I've had this issue all  
22 along. I think it should clearly state these are the  
23 Permitted Uses.

24 MS. LAND: And these are the conditional.

1 MR. CORDONNIER: These are Conditional Uses.  
2 Yeah. Sometimes some of the verbiage makes it feel  
3 like it's a little of both. And that's not -- because  
4 I think more of what some of these things they are  
5 talking about, I almost call them development  
6 standards where they talk about X amount of feet or  
7 different criteria.

8 CHAIRPERSON TIMMERMAN: So you're saying get  
9 rid of the term "Special Conditions," and make it  
10 Conditional Uses? Does that go back to where you said  
11 there's those five criteria?

12 MR. CORDONNIER: The special conditions, in  
13 some ways, to me -- yeah. So where is -- now I'm  
14 not --

15 CHAIRPERSON TIMMERMAN: Back one page where  
16 it says "Special Conditions."

17 MR. CORDONNIER: On?

18 CHAIRPERSON TIMMERMAN: Page 3 is where they  
19 first start. Section 903 --

20 MR. EVANS: This (indicating).

21 CHAIRPERSON TIMMERMAN: -- is where you  
22 start Special Conditions.

23 MS. PARGEON: Down here on the bottom.

24 MR. CORDONNIER: I don't know what that

1 means. Does it mean Conditional Use?

2 CHAIRPERSON TIMMERMAN: Right.

3 MR. CORDONNIER: Or does it mean --

4 MS. LAND: That it was in, but I don't like  
5 it.

6 MR. CORDONNIER: No, it needs to clearly  
7 just say Conditional Use. Conditional Use is a term  
8 in zoning that everyone recognizes. No one recognizes  
9 principal uses.

10 MS. LAND: And we'll have a section  
11 identifying how Conditional Uses are analyzed later.

12 CHAIRPERSON TIMMERMAN: Right.

13 MR. CORDONNIER: "Principal," to me, says  
14 principal uses permitted. I interpret that as a  
15 Permitted Use. But, then, to special conditions,  
16 that's where I almost label this as -- to me, this is  
17 describing development standards.

18 MS. LAND: So would you like to change that  
19 heading to just Conditional Uses?

20 SECRETARY STACY: Yeah.

21 MS. LAND: Because they are necessarily  
22 permitted. They are subject to Conditional Uses.

23 MR. CORDONNIER: Okay. We have Principal  
24 Uses Permitted. So that's your -- I would relabel all

1 of those to Permitted Use. And, then, our O-3s, which  
2 all seem to be Principal Uses Permitted, subject to  
3 Special Conditions should be changed to Conditional  
4 Uses.

5 Then, I think, somewhere in the general  
6 authority or rules you put, All Conditional Uses must  
7 go to Planning Commission for approval. And that's  
8 whether you're building something or not.

9 We just had some home occupations are  
10 Conditional Uses. If someone wants to do a hair salon  
11 in their home or something. But they're not doing  
12 anything or building anything, they still have to go  
13 to the Planning Commission.

14 CHAIRPERSON TIMMERMAN: But ours wouldn't be  
15 Planning Commission, it would be the Zoning  
16 Commission?

17 MR. CORDONNIER: Yeah. But as a planner,  
18 I like to control things. And that's -- Allen  
19 Township doesn't love to control things, so I'm  
20 just -- I don't want -- I'm just telling you that's  
21 putting things in the more controlling atmosphere.

22 CHAIRPERSON TIMMERMAN: I think that's the  
23 easier way to do this, though, because the Principal  
24 Uses Permitted, subject to Special Conditions

1 basically means that we have to predict all of the  
2 special conditions and what the --

3 MS. LAND: If they aren't listed, they may  
4 not count.

5 CHAIRPERSON TIMMERMAN: Exactly.

6 MR. CORDONNIER: I could see you guys  
7 getting into a fight with someone about what the  
8 meaning of this is.

9 CHAIRPERSON TIMMERMAN: Right.

10 MR. CORDONNIER: I think it needs to say --

11 MS. LAND: It's been kind of --

12 MR. CORDONNIER: -- Conditional Use.

13 MS. LAND: -- gnawing at me all the way  
14 through here going, Special Conditions.

15 MR. CORDONNIER: Me too. So, yeah,  
16 I think those need to be labeled.

17 CHAIRPERSON TIMMERMAN: Just Conditional  
18 Uses?

19 MR. CORDONNIER: Yes.

20 MS. LAND: And, then, the first line should  
21 say, All Conditional Uses must be authorized by the  
22 Zoning Commission.

23 CHAIRPERSON TIMMERMAN: Uh-huh.

24 MR. CORDONNIER: You could list it each



1 time.

2 MS. LAND: I'll put it under the Conditional  
3 Use reminder on each section.

4 How about prior to -- All Conditional Uses  
5 must be authorized by the Zoning Commission prior to a  
6 permit being issued? That way they know. It's clear  
7 that they have -- a lot of formatting is messed up  
8 from doing that conversion.

9 It's mind-boggling. It messed it all up.  
10 I thought it was a great thing when I saw it. I  
11 thought, No more retyping everything. But really?

12 MR. CORDONNIER: They've gotten better at  
13 it, but it's still not perfect.

14 MS. LAND: Work out some bugs.

15 MR. CORDONNIER: Yeah.

16 MS. LAND: So, now, we are looking at -- we  
17 are at the point of the --

18 CHAIRPERSON TIMMERMAN: Table.

19 MR. EVANS: Page 34.

20 MS. LAND: 40 foot is definitely a  
21 three-story, correct?

22 MR. EVANS: Maximum three story, I would  
23 say.

24 MS. LAND: Okay. Is that acceptable?

1 CHAIRPERSON TIMMERMAN: I mean, the place  
2 that's not going to work for are those indoor sports  
3 facilities. They've got to be way taller than  
4 40 feet, but that's a Conditional Use at that point.

5 MS. LAND: Are they taller than 40 feet?

6 CHAIRPERSON TIMMERMAN: The white dome  
7 things? Are we talking the same thing?

8 MS. LAND: Are they taller than 40 feet?

9 MR. CORDONNIER: I would say.

10 CHAIRPERSON TIMMERMAN: We're getting a big  
11 "Yes" over there.

12 MR. CORDONNIER: I would say I want to build  
13 a dome, but I would keep the 40 feet because that's --

14 CHAIRPERSON TIMMERMAN: Because it's  
15 conditional at that point.

16 MR. CORDONNIER: Well, the conditional, you  
17 can't waive -- in my opinion, the board can't just  
18 waive, like, Well, you don't --

19 MS. LAND: It would be a variance.

20 CHAIRPERSON TIMMERMAN: You'd have to get a  
21 variance.

22 MR. CORDONNIER: You'd have to get a  
23 variance. Someone who says I want to build a dome,  
24 I would say the appropriate district is B-3.

1 MS. LAND: Because they'll have a higher --

2 MR. CORDONNIER: But I want to build a  
3 bowling alley, well, B-2 will work.

4 CHAIRPERSON TIMMERMAN: Right.

5 MS. LAND: What about the indoor areas?  
6 Pace Center has one. There's one up in Maumee for  
7 indoor soccer. I don't know how tall those are.

8 MR. CORDONNIER: Talking about the white --

9 MS. LAND: No, not the domes. The  
10 buildings. There's one in Maumee up off of --

11 MR. EVANS: Reynolds Road.

12 MS. LAND: -- Duffle Drive, up in there.  
13 They aren't that -- I think 40 feet because they hit  
14 the ceiling a lot. You get a blue card if you hit the  
15 ceiling.

16 MR. CORDONNIER: I would still -- I mean,  
17 not to get too crazy, and I'm not super knowledgeable  
18 on it, but there's some zoning codes, you know, that  
19 almost go exclusively by the shape and size of the  
20 building rather than the uses. Form-based zoning  
21 code.

22 So I would say someone that needs to go  
23 higher than 40 feet, just because it's a Permitted Use  
24 doesn't mean that it's not that size and shape in

1 itself is different than -- you know, so --

2 MS. LAND: So maybe not have a maximum in  
3 this kind of area? Is that what you're saying?

4 MR. CORDONNIER: No. I'm saying I would  
5 stick with the 40 feet, and if someone needs a higher  
6 level, then they go to the more intense B-3 area.

7 MS. LAND: Okay.

8 MR. EVANS: So there may be other buildings  
9 that are the same height, so you don't see something  
10 big sticking out where everything else is 20 feet  
11 tall, and, then, you see a 40.

12 MR. CORDONNIER: What's that big building?  
13 Oh, it's a bowling alley. It's permitted.

14 MS. LAND: B-3 only has 30.

15 SECRETARY STACY: I saw that.

16 MR. CORDONNIER: Then we'll have to talk  
17 about that one.

18 MS. LAND: Definitely will. Some of this  
19 doesn't make sense for how they -- and what about the  
20 setbacks?

21 We currently have 80, 40, and 40. But,  
22 again, they can have loading on the side, or in the  
23 back setback, loading docks, and they can have parking  
24 in the front setback area.

1 CHAIRPERSON TIMMERMAN: To me, 80 just seems  
2 like a long ways off the road. I'm trying to figure  
3 out why they would have said 80 for a front setback.

4 SECRETARY STACY: For B-2, because it's  
5 obviously very different from B-1 and B-3.

6 CHAIRPERSON TIMMERMAN: Right.

7 MR. CORDONNIER: I would say the intent that  
8 we kind of shaped with B-2, 80 is really big.

9 MS. LAND: And if they are allowing parking  
10 there.

11 MR. EVANS: 50, 60, something like that.

12 CHAIRPERSON TIMMERMAN: Does 80 make -- I  
13 mean, not that we've spelled out exactly what a B-3  
14 is. But does 80 make sense for a B-3?

15 MR. CORDONNIER: I'll just tell you what  
16 Findlay's are. For C-2, which is the Walmarts, and  
17 the like, front yards are 30, side yard is 15. If  
18 adjacent to residential, it's 25. Rear yard is 30.

19 CHAIRPERSON TIMMERMAN: That's for a  
20 Walmart?

21 MR. CORDONNIER: That's for C-2, the most --  
22 that's everything on Tiffin and Trenton Avenue.

23 CHAIRPERSON TIMMERMAN: What was your front  
24 setback there? 30?

1 MR. CORDONNIER: 30.

2 MS. LAND: We have 30 for B-1 and B-3.

3 It makes me wonder if that was a typo at  
4 some point and it should have been a 30 instead of an  
5 80. Doesn't that seem odd?

6 CHAIRPERSON TIMMERMAN: In Washington, I  
7 think, it's 80 as well.

8 MS. LAND: Doesn't mean it wasn't a typo  
9 once and it got carried over.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MR. CORDONNIER: The reality is most places  
12 will have a parking lot. I mean, in Commercial, we  
13 don't really see much conflict with setbacks.

14 MS. LAND: Right.

15 MR. CORDONNIER: Because they --

16 MS. LAND: They need the space.

17 MR. CORDONNIER: They need space. They need  
18 room for trucks to maneuver into the back. They need  
19 all sorts of stuff.

20 MS. LAND: As long as we have the ability to  
21 allow their off-street parking to be in their setback  
22 area, which we do, with some provisions of how close  
23 the parking can be to the road, then, I don't think it  
24 would hurt them. It doesn't hurt us either way. But

1 making them set it back 80 feet really makes them have  
2 to have a deeper lot.

3 Do you want to go 30 like everything else  
4 and --

5 SECRETARY STACY: I think so.

6 MS. LAND: -- stay uniform?

7 SECRETARY STACY: That works.

8 MS. LAND: Then we have side yards of 40 and  
9 rear of 40. Think those are more than should be?  
10 Again, they are way higher than the other two  
11 sections. I'm not sure why.

12 MR. CORDONNIER: We must have missed the  
13 nuance of their intent on this district.

14 MS. LAND: Clearly.

15 MR. CORDONNIER: So C-2 in Findlay is 15.  
16 If it's adjacent to residential, it's 25 for the side  
17 yard.

18 SECRETARY STACY: Okay. So B-2 should not  
19 be next to residential, correct?

20 MS. LAND: It could be.

21 MR. CORDONNIER: Nothing works out exactly  
22 as planned.

23 MS. LAND: Is that a Residential District or  
24 a residential use?

1 MR. CORDONNIER: Use or zoning.

2 MS. LAND: Right. So if they have a house  
3 that's already built in the B-3 -- or in the B-2 area,  
4 then it would have the -- if you don't want to have to  
5 have that kind of analysis, just pick a number that is  
6 somewhere that you can live with that applies to both  
7 situations.

8 SECRETARY STACY: Want to do 15 or 20? I  
9 think 40 is more than what is needed.

10 CHAIRPERSON TIMMERMAN: Right. I'd probably  
11 just go 20.

12 SECRETARY STACY: That works.

13 MS. LAND: For both?

14 CHAIRPERSON TIMMERMAN: Probably. I mean,  
15 B-1 has 20 on their rear.

16 SECRETARY STACY: Right.

17 CHAIRPERSON TIMMERMAN: So it's still kind  
18 of in -- is it between/matches up with what's going  
19 on?

20 MS. LAND: Yeah. Okay.

21 MR. EVANS: Is that it?

22 CHAIRPERSON TIMMERMAN: For B-2.

23 MR. EVANS: Article X, B-3 General Business  
24 District. Section 1010. I guess we went over that.



1 Section 1001, Principal Uses Permitted.

2 In a General Business District, no building  
3 or land shall be used, and no building shall be  
4 erected, except for one or more of the following  
5 specified uses, unless otherwise provided in this  
6 Resolution:

7 1. Any retail business or service  
8 establishment permitted in the B-2 District, as  
9 principal uses permitted in Uses Permitted, subject to  
10 Special Conditions.

11 2. Auto wash.

12 3. Bus passenger stations.

13 4. New and used car salesrooms, showrooms,  
14 or office.

15 5. Motels.

16 6. Contractor offices with storage yards.

17 MS. LAND: Are there motels anymore? Are  
18 they all hotels? What's the difference between a  
19 hotel and a motel?

20 CHAIRPERSON TIMMERMAN: I thought it was,  
21 like, if you enter from outside or from an interior  
22 hallway. Wasn't that --

23 MS. PARGEON: That's a motel. It's a motor.

24 CHAIRPERSON TIMMERMAN: That's been my

1 understanding.

2 MS. LAND: Okay.

3 MS. PARGEON: And you park in the front of  
4 it.

5 MR. CORDONNIER: I think that's what --  
6 yeah.

7 MS. PARGEON: In a hotel --

8 MS. LAND: Stairway, corridors, hall.

9 CHAIRPERSON TIMMERMAN: So the Red Roof Inns  
10 tend to -- I think they are all from the outside are  
11 motels.

12 MS. PARGEON: Motor rooms.

13 MR. EVANS: So should we just add more  
14 verbiage? Hotels, motels.

15 CHAIRPERSON TIMMERMAN: I mean, I would say  
16 motels and hotels are both in B-3 at that point.

17 MR. CORDONNIER: My initial thought is you  
18 permit hotels and leave motels out as not necessarily  
19 permitted. It's preferred -- I mean --

20 CHAIRPERSON TIMMERMAN: I see what you're  
21 saying.

22 MR. CORDONNIER: I mean, when you -- I don't  
23 want to -- now that you've provided some information,  
24 you know, I don't think of motels and be, like, yeah,

1 that's pretty cool.

2 CHAIRPERSON TIMMERMAN: Right.

3 MS. PARGEON: Motels is usually for a  
4 one-night sleep, one-night stay, or, you know, a  
5 couple, if you're seeing stuff around the area. But a  
6 hotel has a dining room and everything. Usually  
7 motels don't.

8 MR. CORDONNIER: Motels aren't associated  
9 with, you know --

10 CHAIRPERSON TIMMERMAN: Nicer neighborhoods.

11 MS. PARGEON: Right.

12 MS. LAND: Speaking of hotels, motels, what  
13 about bed and breakfasts? Are those something that  
14 you would permit? An inn? People call things an inn.  
15 Are they technically hotels? Or is there a  
16 difference?

17 MS. PARGEON: When you come to spend a week  
18 to enjoy meals with the people that live there.

19 SECRETARY STACY: I would think a bed and  
20 breakfast would have a much smaller --

21 MS. PARGEON: Yeah.

22 SECRETARY STACY: -- clientele, and I would  
23 think that that would be better, being a little closer  
24 to residential, possibly, than an actual hotel.

1 MR. CORDONNIER: This is another one of  
2 these hard -- so the definition of a bed and breakfast  
3 in Findlay is the host lives there.

4 SECRETARY STACY: Right. Okay.

5 MR. CORDONNIER: Then it goes on about  
6 common dining room facilities, and things like that.  
7 Probably the issue that we'll be looking at more and  
8 discussing is Airbnb.

9 MS. LAND: That was my next thing. Airbnbs  
10 would almost, by definition, end up in the residential  
11 areas.

12 MR. CORDONNIER: Sure.

13 MS. LAND: And that can cause a lot of  
14 ruckus for a neighborhood to have Airbnbs.

15 MR. CORDONNIER: It's definitely a change  
16 that it's taking time for people to sort through.

17 MS. LAND: I know a lot of people want to do  
18 it, you know, be able to rent their places out. But,  
19 in our neighborhood, we had a guy across the street  
20 who turned a house that he bought that he was flipping  
21 into a place for ten college kids.

22 MS. PARGEON: Oh, no.

23 MS. LAND: So we had ten college kids living  
24 across the street from us. Turned out they were

1 wonderful kids that did stuff, like, made sure I  
2 didn't have to shovel snow or carry groceries. They  
3 were great, but they could have been a frat house. So  
4 that's a problem.

5 MR. CORDONNIER: So I think -- and this is  
6 where the definitions -- really you have to define  
7 hotels, define motel, define bed and breakfast, define  
8 Airbnb.

9 I don't know that you have to -- then,  
10 there's -- I mean, I don't know if I've ever seen or  
11 interacted with a boarding house. That's more 1930s,  
12 '40s, '50s movie-type stuff that I've seen. But  
13 there's a lot of different kinds of -- when I say  
14 transient, I don't say negative. It's just a  
15 transient place to stay.

16 MS. LAND: With the current problems that  
17 Hancock County and Findlay are facing, people may  
18 decide to have boarding houses. If you have two or  
19 three extra bedrooms, and there's always people with  
20 no place to live, they may start renting them. That  
21 could be, you know, also a difference in the  
22 neighborhood.

23 But we may be covering that when we say  
24 single family, and define family you know. But it

1 says, you know, no more than three people, other than  
2 those in the family living there.

3 MR. CORDONNIER: That's under -- I mean,  
4 under enforcement, you know, when there's eight people  
5 living in a house, common sense says none of them are  
6 related, it's still -- it's a heck of a thing to  
7 enforce.

8 MS. LAND: It's hard to enforce, but you're  
9 less likely to have it, I think, if you identify that  
10 it could be enforced.

11 MR. CORDONNIER: Yeah.

12 MS. LAND: If you just make it, yeah, it can  
13 happen, it will happen. Then you've got to decide if  
14 that's something that you want to have. It's not  
15 always a bad thing. Sometimes, like in our situation,  
16 it turned out great. But, you know, we were lucky.  
17 They only did it for one school year.

18 MR. CORDONNIER: I think in some ways it's  
19 almost the subject that we'll have to separate out and  
20 have a discussion about with more information.

21 MS. LAND: Before next time, I'll come back  
22 with some definitions of hotel, motel, bed and  
23 breakfast, and Airbnb, and some other things I've  
24 written down that we need definitions for.

1 MR. CORDONNIER: Convalescent home.  
2 Boarding house.

3 MS. PARGEON: A lot of them, with bed and  
4 breakfast, have -- they are an organization, and they  
5 have to be covered with special insurance also.

6 MS. LAND: The Airbnbs, I think they have  
7 to -- if you really want, they register them to have  
8 somebody market them for them. I don't even know how  
9 it all works. We're trying to look into it because  
10 people are getting bed tax off of them.

11 MR. CORDONNIER: I've seen lots of them.  
12 I've seen lots of -- because I've been doing research  
13 for Findlay, I've seen lots of different strategies  
14 with Airbnbs. The owner has to live within 50 miles  
15 of it. I think Cincinnati has that. I don't know if  
16 that would hold up in court. You know, I've seen a  
17 lot of solutions, and I don't know that I've seen one  
18 that I like.

19 MS. LAND: And there's been almost nobody  
20 challenging anything that -- a lot of times we come up  
21 with ideas, and we don't know if they'll be  
22 sustainable. A lot of things I can tell you that's  
23 because case law has -- somebody's already challenged  
24 it and it's gone one way or the other. There's not a

1 lot of stuff yet on Airbnbs. It's just kind of a  
2 more --

3 MR. CORDONNIER: I don't know what the best  
4 way --

5 MR. EVANS: It seems like a lot of it might  
6 be covered under subdivision restrictions.

7 MR. CORDONNIER: Covenants and restrictions  
8 are great until no one knows what they are.

9 MS. LAND: We have them.

10 MR. CORDONNIER: And how to enforce them.  
11 They're civilly enforced.

12 MS. LAND: Yeah. We have covenants in our  
13 neighborhood, too, but everybody is, like, What are  
14 you going to do about it? As long as they were nice,  
15 young guys living over there, I didn't care. They  
16 didn't do anything bad. I don't like to assume.

17 MR. CORDONNIER: I think we move on, and,  
18 then, we'll circle back. I mean, some of that goes  
19 back to Residential Districts and it spans Residential  
20 through Commercial.

21 MS. LAND: I'll put some asterisks beside  
22 the hotel, so we know we need to go back and add some  
23 things.

24 The next one is Contractor offices with



1 storage yards. This is something that -- somebody was  
2 here last time --

3 CHAIRPERSON TIMMERMAN: Zoe.

4 MS. LAND: Zoe, yeah. -- suggested you may  
5 not want that in B-3. You might want to move it to  
6 Industrial.

7 MR. CORDONNIER: I agree.

8 SECRETARY STACY: Yes.

9 MR. CORDONNIER: Now, I guess, the question,  
10 contractor offices, to me, contractors -- what if the  
11 contractor office does not have a storage?

12 MS. LAND: Should we say contractor offices  
13 without storage yards are okay, but with storage yards  
14 go to Industrial?

15 MR. CORDONNIER: I'd say definitely  
16 contractor offices with storage yards would be Light  
17 Industrial.

18 MS. LAND: All right.

19 MR. CORDONNIER: Contractor office, you  
20 know, Bob's Electrical, they're doing well. They've  
21 got 15 vehicles that go out every day. You know,  
22 that's another one. It's a little bit of a gray area.

23 MS. LAND: That's not considered a storage  
24 yard just to have their trucks park there at night,

1 right? No?

2 MR. CORDONNIER: No.

3 MS. LAND: I don't think.

4 MR. CORDONNIER: No, I agree.

5 MS. LAND: Unless they're putting heavy  
6 equipment there, and, then, that's going to be a bit  
7 of an issue.

8 MR. CORDONNIER: Yeah. Yeah. If it's  
9 completely enclosed, I don't have too much issue with  
10 it. You will be surprised at who will still complain  
11 about it.

12 MS. LAND: So for No. 6 --

13 MR. EVANS: I'd say it depends on how it  
14 looks, really.

15 MS. LAND: Yeah. Do we want to put, under  
16 6 here, these are under Permitted Uses? Do we want to  
17 move that under Conditional Uses?

18 MR. CORDONNIER: Yeah, I would.

19 CHAIRPERSON TIMMERMAN: Even if it doesn't  
20 have a storage yard?

21 MS. LAND: Yes. Contractor offices without  
22 storage yards under Conditional Uses.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MR. CORDONNIER: I'm sorry. I moved on to

1 7. Contractor office.

2 MS. LAND: I think we've pretty much decided  
3 with storage yards need to go to Light Industrial.

4 Do you want to have an option in B-3 for  
5 just the offices that don't have the whole, you know,  
6 storage yard kind of stuff there?

7 CHAIRPERSON TIMMERMAN: I think so.

8 SECRETARY STACY: I think so, too.

9 MS. LAND: Do you want to put it under a  
10 Permitted Use or under a Conditional Use so you can  
11 ask the question, Just exactly how are you going to be  
12 doing business? Are you going to have trucks there?  
13 Are you going to have equipment? If you do, do you  
14 want to have it screened? How do you think -- do you  
15 think that would be --

16 MR. CORDONNIER: Yeah. I mean, that gives  
17 the township the opportunity to say, Yes, you know,  
18 No. One of the conditions is you can't store any --  
19 you can't have any equipment on -- you know. I don't  
20 mind there being a Conditional Use, but people accuse  
21 me of wanting everything as a Conditional Use. So...

22 MS. PARGEON: Well, you don't want something  
23 that's going to be sitting there for 20 years.

24 MR. CORDONNIER: Yeah.

1 CHAIRPERSON TIMMERMAN: Do you like the  
2 Conditional Use?

3 SECRETARY STACY: Yeah.

4 CHAIRPERSON TIMMERMAN: I think that's --

5 VICE CHAIRPERSON REHUS: Uh-huh.

6 CHAIRPERSON TIMMERMAN: Okay.

7 MR. EVANS: Moving to 7. Other uses similar  
8 to the above uses.

9 MR. CORDONNIER: That's where I think we  
10 come up with the standard verbiage that we use every  
11 time that says, Other uses similar to the above. Move  
12 it to Conditional Use, and, then, Other uses similar  
13 to the mentioned in -- you know, some form of standard  
14 thing that's a little bit of the catch-all.

15 MS. LAND: So the Other uses similar to  
16 should not stay in the Permitted Uses?

17 MR. CORDONNIER: I don't think so.

18 MS. LAND: Okay.

19 CHAIRPERSON TIMMERMAN: I guess that makes  
20 sense because, I mean, you don't know what the other  
21 uses are at this point.

22 MR. CORDONNIER: Yeah.

23 MR. EVANS: And 8. Accessory structures and  
24 uses customarily incident to the above uses.

1 MS. LAND: That, we almost have to tack on  
2 to all of them.

3 MR. EVANS: Move on to Section 1002.  
4 Principal Uses Permitted, subject to Special  
5 Conditions.

6 The following uses shall be permitted,  
7 subject to the conditions hereinafter imposed after --  
8 for each use and subject further to the review and  
9 approval of the Zoning Commission.

10 CHAIRPERSON TIMMERMAN: This is still going  
11 to be called Conditional Uses, though?

12 MS. LAND: Yes.

13 MR. CORDONNIER: Yes.

14 MS. LAND: I'm going to make that change  
15 through all of the 02s.

16 CHAIRPERSON TIMMERMAN: Okay. So we don't  
17 need all of them.

18 MR. EVANS: So go with 1. Automobile  
19 service stations for the use of gasoline, oil, and  
20 minor accessories only where no repair work is done,  
21 other incidental service, steam cleaning or  
22 undercoating vehicle by repair, painting, tire  
23 recapping, engine rebuilding, auto dismantling,  
24 upholstery, auto glass work, such other activities

1 whose external effects extend beyond the property line  
2 shall not be permitted.

3 MR. CORDONNIER: I think I've seen what they  
4 are doing. So in their -- in their minds, I think B-2  
5 was almost the most intense. It had the larger  
6 setbacks, had automobile repair. And, then, B-3,  
7 oddly, is kind of a step down.

8 MS. LAND: That makes no sense.

9 (Ms. Land left the proceedings.)

10 MR. CORDONNIER: Because, to me, in B-3, I'd  
11 say automobile service station/gas station is a  
12 Permitted Use.

13 So, anyway, I did some -- keep augmenting  
14 the maps, keep updating them. So this is an update  
15 version of how things are being used today. I will  
16 have a version probably next week that kind of labels,  
17 you know, landfill, junkyard. This is as red as  
18 commercial. It's an old tank farm. That's a  
19 junkyard.

20 And, then, I found a few parcels that had a  
21 mobile home on it. According to the auditor's office,  
22 mobile homes are a Commercial use, so that was a --  
23 yeah, they are taxed under Commercial. So there's --  
24 it keeps getting better.

1 I made improvements from the last time. But  
2 understanding what's here will be really important in  
3 the future. When you --

4 MS. PARGEON: That we don't want it.

5 MR. CORDONNIER: And, then, I have some  
6 bigger 36 by 36. One is the plain Allen Township for  
7 drawing on. And I can make plenty of copies. And,  
8 then, the other is a bigger version of this, and,  
9 then, a bigger version with the aerial behind it.

10 (Ms. Land joined the proceedings.)

11 MR. CORDONNIER: I was just telling them we  
12 have been refining it. Hopefully, next week, we'll  
13 have most of these unique things labeled so people can  
14 understand what's out there.

15 MS. LAND: Okay. We need to ask Mark if he  
16 could get us three 36 by 36 of those foam boards so we  
17 can put them on there and we can just leave them here.  
18 We can put them up where we want them on that, and,  
19 then, we can have access to the whiteboard and be able  
20 to use them and not have to keep them rolled up.

21 SECRETARY STACY: When you say foam boards,  
22 do you mean, like, a tripod?

23 MR. CORDONNIER: Foam core is the kind of --

24 SECRETARY STACY: Oh.

1 MS. LAND: The stuff that -- we use them  
2 when we take maps to court. I don't know.

3 MR. EVANS: Keeps them nice and flat.

4 MS. LAND: Nice and flat. They're  
5 lightweight. We stick them on with pushpins.

6 MR. CORDONNIER: Hobby Lobby will be the  
7 place to get it.

8 MS. LAND: Is that the best place?

9 MR. CORDONNIER: I believe they have it.  
10 Yes.

11 SECRETARY STACY: How many of those would we  
12 need?

13 MS. LAND: Are there three maps?

14 MR. CORDONNIER: There's three maps. Yeah.

15 MS. LAND: Three.

16 MR. CORDONNIER: I wouldn't mount -- they're  
17 still evolving, but you'll probably want it  
18 eventually.

19 SECRETARY STACY: Okay. So three 36 by 36  
20 foam core boards.

21 MR. CORDONNIER: I think Hobby Lobby will  
22 even cut them for you.

23 SECRETARY STACY: Okay.

24 MS. LAND: I think we get ours delivered



1 from Friends I think. So office places. They might  
2 even have them at Walmart. I don't think they have  
3 them that have the large -- they are more like poster  
4 board size there. We need thicker.

5 CHAIRPERSON TIMMERMAN: Are any of these  
6 maps available to the public, if people want to see  
7 them, or is this --

8 MR. CORDONNIER: Yeah, they are.

9 CHAIRPERSON TIMMERMAN: There's nothing  
10 special about them?

11 MR. CORDONNIER: No. They are created --  
12 they are public information.

13 MS. PARGEON: No hidden treasures?

14 MR. CORDONNIER: No.

15 MS. LAND: Everything you guys are doing is  
16 public information.

17 MR. CORDONNIER: Everything I do is public  
18 information at work.

19 SECRETARY STACY: We could even have the  
20 camera shift --

21 CHAIRPERSON TIMMERMAN: Shift --

22 SECRETARY STACY: -- shift to it.

23 MS. LAND: That's why I think, if we get  
24 them mounted, even though they are still works in

1 progress, you can set them up here. You guys can all  
2 see them easily. You can talk about them, you can  
3 still draw on them while they are up there.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MR. CORDONNIER: You know, at some point,  
6 I mean, you can make them available online. But,  
7 yeah. You know, there's -- these are public documents  
8 for anyone.

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. LAND: Right now, they're still growing  
11 documents --

12 CHAIRPERSON TIMMERMAN: For sure.

13 MS. LAND: -- because they don't have  
14 anything on them.

15 MR. CORDONNIER: I need to put a big "Draft"  
16 watermark on it.

17 MS. LAND: I have a "Draft" stamp.

18 MR. CORDONNIER: Yeah. I explained, I've  
19 got to get going with the kiddos and stuff.

20 SECRETARY STACY: Thank you, Matt.

21 CHAIRPERSON TIMMERMAN: Thank you.

22 MR. CORDONNIER: Yeah, thanks.

23 (Mr. Cordonnier left the proceedings.)

24 CHAIRPERSON TIMMERMAN: It is 7:03. Are we

1 hoping to get through this?

2 MS. LAND: It's up to you guys.

3 CHAIRPERSON TIMMERMAN: Page 7 is the last  
4 one.

5 MS. LAND: I didn't have to drive to  
6 Columbus so I'm not completely wiped out.

7 CHAIRPERSON TIMMERMAN: The rest of it is  
8 Conditional Uses.

9 MS. LAND: Let's get through this.

10 SECRETARY STACY: We'll get it done.

11 MR. EVANS: Okay. We were at curb cuts, A.

12 CHAIRPERSON TIMMERMAN: Let's go back to 1,  
13 though. Is this a Conditional Use?

14 MS. LAND: Yes.

15 CHAIRPERSON TIMMERMAN: Is that where we  
16 want it to be?

17 MS. LAND: I think so. Because you don't  
18 want something that can have lots of curb cuts. You  
19 want to have an idea of how they are going to be set  
20 up and how they are going to do their lighting.

21 One of the things that you can't control  
22 with Conditional Use is you can't control when they do  
23 business, but you can control how they affect the  
24 neighbors beside them.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: You have them give you a plan for  
3 how their lights are going to work and have them  
4 explain where they are -- their site plan, so you know  
5 what it's going to look like.

6 CHAIRPERSON TIMMERMAN: Okay. Do you want  
7 to change 1 where it's calling out different steam  
8 cleaning, undercoating? Does that all still pertain?

9 MS. LAND: I guess if you want to define  
10 automobile service station, you probably don't need  
11 all that because the service station will be  
12 identified. You'll know what that means and it won't  
13 include those things.

14 Where do you guys stand on that?

15 MS. PARGEON: That sounds good.

16 CHAIRPERSON TIMMERMAN: I'm okay with that.

17 MS. PARGEON: Yeah. It's not so wordy.

18 CHAIRPERSON TIMMERMAN: Having things  
19 defined early on.

20 MS. LAND: The Definitions section is going  
21 to be your biggest section in the whole book, which  
22 actually is very good.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MR. EVANS: It needs to be clear.

1 MS. LAND: Yeah. And you can decide if you  
2 want to rearrange the order of the book, as well. You  
3 can put Definitions in the back. Some do that. Some  
4 put them in the front. I prefer them in the back  
5 myself, but most of these are in the front.

6 CHAIRPERSON TIMMERMAN: Okay.

7 MS. LAND: We're going to take out, then,  
8 everything from "steam cleaning" until the end,  
9 correct? No?

10 MS. PARGEON: Yeah. Yes.

11 MS. LAND: You know, maybe we should take  
12 out down through "work." It says, "Auto dismantling  
13 upholstering, or auto glass work." Take that out, but  
14 tweak that a bit to say, "Service station for the sale  
15 of gasoline, oil, and minor accessories only where no  
16 repair work is done, other than incidental service and  
17 such activities do not affect -- where such..." -- Do  
18 you see where I'm going?

19 MS. PARGEON: Yes.

20 SECRETARY STACY: Yeah.

21 MS. LAND: "Where such other -- where such  
22 activities..." --

23 MS. PARGEON: "...whose external effects  
24 could adversely extend beyond the property line shall

1 not be permitted."

2 MS. LAND: Yeah. "Where such activities  
3 whose external effects could not -- will not  
4 adversely..." --

5 MS. PARGEON: There we go. Yes.

6 MS. LAND: I might play with that a little  
7 bit when I'm doing the rest of this stuff.

8 MR. EVANS: Ready to go down to curb cuts?

9 The curb cuts for access to a service  
10 station shall not be permitted at such locations that  
11 will tend to create traffic hazards in the streets  
12 immediately adjacent thereto. Entrances shall be no  
13 less than 25 feet from a street intersection measured  
14 from the road right-of-way or from adjacent  
15 Residential Districts.

16 MS. LAND: Measured from the nearest edge of  
17 the road right-of-way.

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. LAND: Because the road right-of-way is,  
20 you know, sometimes 60 feet wide, so which side are  
21 they measuring from? Change it to, "from the nearest  
22 edge of the road right-of-way."

23 SECRETARY STACY: Uh-huh. This just seems  
24 to be a safety issue, like, a common sense safety

1 issue.

2 MS. LAND: Common sense does not apply. We  
3 have to write it down.

4 SECRETARY STACY: Yeah. Okay. Safety.

5 MS. LAND: Yeah.

6 SECRETARY STACY: To promote safety.

7 MS. LAND: Right.

8 It doesn't say anything about how many  
9 entrances you'll permit. Often they want two, which  
10 is normal. Sometimes they want three or four, and  
11 that starts to make some difficulties.

12 MS. PARGEON: Traffic problems, that's for  
13 sure.

14 MS. LAND: Yeah.

15 CHAIRPERSON TIMMERMAN: Do you want to just  
16 add that then at 2?

17 MS. LAND: We can try that and see what Matt  
18 says, if he has some issue with that.

19 MR. EVANS: It seems like they are tending  
20 to have less and less curb cuts or wanting you to have  
21 less and less curb cuts.

22 SECRETARY STACY: Right. Yeah.

23 MR. EVANS: I think of the Love's Gas  
24 Station in North Baltimore, one entrance. Everybody

1 pulls in and out of this wide --

2 MS. LAND: They have -- yeah.

3 MR. EVANS: Then you do what you have to do  
4 after you get back.

5 Ready to go to B?

6 The minimum lot area shall be 15,000 square  
7 feet and so arranged that ample space is available for  
8 motor vehicles which are required to wait. Automobile  
9 service stations which are intended solely for the  
10 sale of gasoline, oil, and minor accessories, and  
11 having no facilities for repair or servicing of  
12 automobiles, including lubricating facilities, may be  
13 permitted on lots of 10,000 square feet, subject to  
14 all other provisions herein required. A minimum width  
15 of any service station site shall be 100 feet.

16 MS. LAND: 100 feet.

17 MR. EVANS: That's very small.

18 MS. LAND: That's going to be a long,  
19 skinny -- for 10,000 square feet.

20 Well, are they talking about minimum width  
21 of a lot, or do we mean minimum width at street level  
22 or the street frontage? Because sometimes there is a  
23 driveway and they are back behind something else,  
24 which isn't an uncommon thing.



1           So that 100 feet would make sense then, but  
2 you might want to identify that it's road frontage. A  
3 minimum of 100 feet of road frontage.

4           MR. EVANS: On to 2. Outdoor sales space  
5 for exclusive sales of new or secondhand automobiles,  
6 mobile homes, camper/trailers or rental of trailers  
7 and/or automobiles or similar property, all subject to  
8 the following:

9           A. A lot or area shall be provided with  
10 permanent, durable, and dustless surface and shall be  
11 graded and drained as to dispose of all surface water  
12 accumulated within the area.

13           B. Access to the outdoor sales area shall  
14 be at least 60 feet from the intersection of any two  
15 streets.

16           C. No major repair or major refinishing  
17 shall be done on the lot.

18           D. All lighting shall be shielded from  
19 adjacent Residential Districts.

20           MS. LAND: Sometimes we say "street";  
21 sometimes we say "roads." Which would you like to  
22 have it all the way through? Streets/roads?  
23 Only street? Only road?

24           CHAIRPERSON TIMMERMAN: Only with road.

1 VICE CHAIRPERSON REHUS: Road.

2 CHAIRPERSON TIMMERMAN: You were going to  
3 say "street"?

4 SECRETARY STACY: No. I was going to say,  
5 when I think of street, I think of something within  
6 the city.

7 MS. PARGEON: Yeah. Exactly.

8 MS. LAND: Or in the village.

9 SECRETARY STACY: When I think of road,  
10 I think where we live at.

11 MS. LAND: There are no streets, except in  
12 the subdivisions. And you could with -- if you have  
13 an industrial park, it will have streets because they  
14 are subdivided like a subdivision plan, platted.

15 So do we want to make it one of those  
16 obnoxious slash things?

17 SECRETARY STACY: We could. We could.

18 CHAIRPERSON TIMMERMAN: Just to be  
19 consistent. That's fine.

20 MS. PARGEON: Yeah.

21 MS. LAND: Okay.

22 CHAIRPERSON TIMMERMAN: A is talking about  
23 water runoff. Is there retention and detention ponds  
24 or does that go into Ponds later? Is that somehow

1 covered with any of this?

2 MS. LAND: It isn't in the Pond section.

3 CHAIRPERSON TIMMERMAN: Okay.

4 MS. LAND: I don't think we want to get any  
5 more specific than that because, since it's a  
6 Conditional Use, they'll show you how they plan to do  
7 it.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. LAND: And you can ask those questions.

10 CHAIRPERSON TIMMERMAN: That's fair.

11 MS. PARGEON: But have it built up on a  
12 slant so the water goes to the curb and down.

13 MS. LAND: Well, if there's no curbs, then  
14 you have to have a --

15 CHAIRPERSON TIMMERMAN: They'll have to have  
16 a plan.

17 MS. LAND: Uh-huh.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. PARGEON: A way for -- a drain.

20 MR. EVANS: Go to 3. Business and the  
21 character of a drive-in or drive-thru establishment  
22 subject to the following conditions:

23 A. A setback of at least 60 feet from the  
24 right-of-way line of any existing or proposed street

1 shall be maintained -- must be maintained.

2 B. Access points shall be located at least  
3 60 feet from the intersection of any two streets.

4 C. All lighting shall be shielded from  
5 adjacent Residential Districts.

6 D. A 6-foot-high, completely obscuring  
7 screen shall be provided when abutting or adjacent  
8 districts are zoned for Residential Districts. The  
9 height of the screen shall be measured from the  
10 surface of the ground. Said screen shall further meet  
11 the requirements of Article X, General Provisions.

12 MS. LAND: So when you get into Article X,  
13 General Provisions, you'll see that screens could be  
14 fences. They could be vegetation. They could be a  
15 mound. There's different things that you can let them  
16 do.

17 Going back up here, again, when they say "of  
18 the right-of-way line," we're presuming they mean the  
19 one closest to them, but I would like to have that, if  
20 you guys --

21 CHAIRPERSON TIMMERMAN: Uh-huh.

22 MS. PARGEON: Yes.

23 CHAIRPERSON TIMMERMAN: Then Section D  
24 there, they're talking about abutting to residential.

1 Kind of what Matt was saying earlier. He said a  
2 residential -- a property being used for residential  
3 or a Residential District.

4 MS. LAND: Uh-huh.

5 CHAIRPERSON TIMMERMAN: I'm not sure -- I  
6 mean, this calls out Residential District.

7 MS. LAND: Should we say for resident zoned  
8 abutting or adjacent to districts or zoned for  
9 Residential Districts?

10 CHAIRPERSON TIMMERMAN: I think it's  
11 important to protect the residents. So...

12 MS. LAND: Yeah. I know that in Liberty  
13 Township, we faced a big issue when the Waffle House  
14 and those things went in. There were still houses  
15 sitting there, and they were, like, just, you know,  
16 not too far away from the grease vent outlet from the  
17 restaurant and it completely destroyed their backyard.  
18 They couldn't sit on their deck.

19 MS. PARGEON: Terrible.

20 MS. LAND: So we had to deal with that.

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: So I can see why we need it. And  
23 that is in an area that was, then, identified as a  
24 commercial area because Walmart and all of that stuff

1 was there. It wasn't a Residential District, so there  
2 was no requirement that they had to fence. So I think  
3 what you're saying is probably something that you need  
4 to really discuss that you would want to include  
5 residential use.

6 CHAIRPERSON TIMMERMAN: As far as -- say  
7 that again.

8 MS. LAND: That you would want to change  
9 this not from just Residential Districts, but also  
10 residential use.

11 CHAIRPERSON TIMMERMAN: Yes.

12 MS. LAND: Even though it's not in a  
13 district that's zoned Residential.

14 CHAIRPERSON TIMMERMAN: That's what I would  
15 do.

16 SECRETARY STACY: I agree.

17 MS. LAND: Okay. How I do fix that?

18 SECRETARY STACY: Can we cross out  
19 "district" and put "residential use"?

20 CHAIRPERSON TIMMERMAN: Use/district.  
21 Whatever.

22 MR. EVANS: Ready to go to 4?

23 CHAIRPERSON TIMMERMAN: If Cindy is.

24 MS. LAND: Okay. Go on.

1 MR. EVANS: 4. Veterinary hospitals or  
2 clinics, provided all activities are conducted within  
3 a totally enclosed main building, and provided further  
4 that all buildings are set back at least 200 feet from  
5 abutting Residential Districts on the same side of the  
6 street.

7 5. Plant materials.

8 MS. LAND: Do you want to change that one,  
9 too, from "Residential District" to "Residential use  
10 or District"?

11 CHAIRPERSON TIMMERMAN: Yeah.

12 MS. PARGEON: Yeah.

13 SECRETARY STACY: That 200 feet, does that  
14 seem --

15 CHAIRPERSON TIMMERMAN: It sounds like a  
16 lot --

17 MS. PARGEON: That's good.

18 CHAIRPERSON TIMMERMAN: -- but I think it's  
19 a good thing.

20 SECRETARY STACY: Uh-huh. Okay.

21 MR. EVANS: Go to 5.

22 CHAIRPERSON TIMMERMAN: Did you have a --

23 SECRETARY STACY: No. I just want to make  
24 sure. That seemed to be another specific thing that

1 we want to address.

2 Okay. Go ahead.

3 MR. EVANS: Plant materials, nursery, for  
4 the retail sale of plant materials, not grown on the  
5 site, and sale of lawn furniture, playground  
6 equipment, and garden supply, subject to the following  
7 conditions:

8 A. The storage or display of any materials  
9 or products shall meet all setback requirements of a  
10 structure.

11 B. All loading and parking shall be  
12 provided off street.

13 C. The storage of all soil -- of any soil,  
14 fertilizer, and any other loose unpackaged materials  
15 shall be contained so as to prevent any effects on  
16 adjacent uses.

17 6. Mortuary establishments. When adequate  
18 assembly area is provided off street for vehicles to  
19 be used in funeral processions, provided further that  
20 such assembly area shall be provided in addition to  
21 any required off-street parking area.

22 A caretaker's residence may be provided  
23 within the main building of mortuary establishments.

24 MS. LAND: We almost have to put that in



1 there because I think, when they have a body in state,  
2 they have to have a person there in the building. So  
3 they have a caretaker's -- which we have to put that  
4 there because, generally speaking, there's no ability  
5 to live in the B-3 district.

6 CHAIRPERSON TIMMERMAN: Gotcha.

7 SECRETARY STACY: Okay.

8 MR. EVANS: 7. Publicly owned buildings,  
9 telephone exchange buildings, and public utility  
10 offices, including transformer stations, substations,  
11 or gas regulator stations, all without storage yards.

12 MS. LAND: This is in every zoning book in  
13 Hancock County, but I'm not sure that you have any  
14 authority to regulate any of these things. So I'm  
15 going to do a little bit more research on that one and  
16 find out if we should just not have it.

17 MS. PARGEON: Okay.

18 MR. EVANS: Then Section 1003, Area and Bulk  
19 Requirements.

20 MS. LAND: I wanted to add in this section,  
21 contractor offices without storage yards, and, then,  
22 the Other uses similar to the above uses.

23 CHAIRPERSON TIMMERMAN: Okay. Yeah. That's  
24 one of the things we wanted to add.

1 On to the table at this point?

2 MS. LAND: Uh-huh.

3 CHAIRPERSON TIMMERMAN: We have a maximum  
4 height of 30 feet, which is less than B-2.

5 MS. LAND: Yeah. If you want -- do we have  
6 the outdoor recreation stuff in here? Or indoor  
7 recreation? We do not.

8 CHAIRPERSON TIMMERMAN: But it would be the  
9 pyramid where it carries over, right?

10 MS. LAND: True.

11 CHAIRPERSON TIMMERMAN: B-2.

12 MS. LAND: We don't have to put that in  
13 there.

14 CHAIRPERSON TIMMERMAN: Yeah. But this  
15 would be an opportunity to go to a taller building --

16 MS. LAND: Right.

17 CHAIRPERSON TIMMERMAN: -- where it would  
18 fit in better.

19 MS. LAND: Do you want to pick a number that  
20 still limits the number of stories you're going to end  
21 up with? Do you want to say that we don't want any  
22 more than three- or four-story buildings? Do you want  
23 to let there be really tall buildings?

24 VICE CHAIRPERSON REHUS: I wouldn't think

1 so.

2 MR. EVANS: Is this hotels, too?

3 MS. LAND: Yes. Hotels are a Permitted Use.  
4 Hotels could end up being five or six stories.

5 MR. EVANS: Actually, like, the Hilton  
6 Garden, it's at least four stories, so it's probably  
7 50, maybe 60 feet tall. It depends on what you want  
8 to put there.

9 CHAIRPERSON TIMMERMAN: Could you do, like,  
10 a number for stories? Could we do that then? Is that  
11 getting into --

12 MS. LAND: Yeah. I mean, it's the same as  
13 I think we are doing up above where we say 30 feet, no  
14 more than two stories. And you want to have a  
15 story --

16 CHAIRPERSON TIMMERMAN: I'm just throwing it  
17 out there as an option of what people thought. Makes  
18 sense.

19 MS. LAND: So it would be, like, 60 feet?  
20 No more than four stories. Is that 60?

21 CHAIRPERSON TIMMERMAN: Seems like. Unless  
22 anybody has any other thoughts.

23 Then setback-wise, front, side, and rear are  
24 all at 30.

1 MS. LAND: That's pretty much the same as  
2 the other section.

3 CHAIRPERSON TIMMERMAN: Right. I think just  
4 leave it.

5 MS. LAND: They still have the same  
6 footnotes on them for the parking and the loading and  
7 all of that.

8 CHAIRPERSON TIMMERMAN: Yeah.

9 MS. LAND: Okay. You're through all of the  
10 business stuff.

11 MS. PARGEON: Yeah.

12 MS. LAND: I don't know about you guys, but  
13 I really don't want to start Industrial tonight.

14 CHAIRPERSON TIMMERMAN: Come on.

15 MS. LAND: I'm actually taking tomorrow off.

16 CHAIRPERSON TIMMERMAN: Good for you.

17 MS. LAND: Let's see. For the next time, do  
18 we want to do Industrial, but I don't think it will  
19 take you the entire time.

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. LAND: And, then, you may want to look  
22 at General Provisions, which is Section 15. I think  
23 in your big book, it's -- yes, it's Section 15.  
24 That's pretty extensive. So why don't we just do

1 Industrial and as much as we can go through the  
2 General Provisions.

3 CHAIRPERSON TIMMERMAN: Do we need to go  
4 through the Schedule of Regulations at all right after  
5 all of the --

6 MS. LAND: Yeah. We probably will want to  
7 look at that.

8 CHAIRPERSON TIMMERMAN: Do we want to tackle  
9 that right away?

10 MS. LAND: We'll do that first. And, then,  
11 we will do Industrial, and that might take us the  
12 whole time.

13 But if we start reading into the General  
14 Provisions, at least you'll have an idea of what we're  
15 looking at because this is where it gets kind of all  
16 weird stuff you don't expect and all the little things  
17 that apply to everything sort of differently for each  
18 one. But sort of the General Provisions as they apply  
19 across the board. It's going to take a good bit of  
20 thinking and talking on this section.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: Start reading it and you'll be  
23 ready.

24 CHAIRPERSON TIMMERMAN: Do we want to open

1 up the floor for some questions or comments? Anybody?

2 Sir.

3 FROM THE FLOOR: I have at least two, and  
4 these may be jumping ahead.

5 I have a question about your maps. I know  
6 they aren't filled out yet. Say, someone has a  
7 property that they are living on this property, but  
8 there's industrial places near them.

9 What kind of buffer will they have when you  
10 draw this map to ensure -- because if your group is --  
11 or if this proposal, I should say, is going to limit  
12 where businesses can go, is that going to, then, flood  
13 some of these areas to attract more business in those  
14 areas?

15 And, like, if my house is right next to Home  
16 Depot, and that's going to be Commercial, or what have  
17 you, are we going to have a bunch of other businesses?  
18 How close is that going to be to my house? And what  
19 sort of assurances can I have as a homeowner that  
20 I'm going to have a little bit of buffer?

21 MS. LAND: That's where those setbacks come  
22 into play.

23 CHAIRPERSON TIMMERMAN: Yeah. The different  
24 setbacks come into play. The one that popped into my

1 head immediately was the veterinary one where it's  
2 200 feet. Like, I think there's going to be specific  
3 instances, but, then, there's also going to be things  
4 you can't predict, I guess, so you'll have your  
5 Conditional Use or whatever.

6 MS. LAND: Or the standard required setback  
7 for the area, they all look like they're all about  
8 30 feet.

9 FROM THE FLOOR: So, like, 30 feet from a  
10 Home Depot distribution center --

11 MS. LAND: Is not that far.

12 FROM THE FLOOR: -- that's not very far.

13 CHAIRPERSON TIMMERMAN: Right. And that's  
14 kind of the downside. I mean, unfortunately, we have  
15 to create the districts, and --

16 FROM THE FLOOR: Sure.

17 CHAIRPERSON TIMMERMAN: -- they have to go  
18 somewhere. Ultimately, you can't please everybody.  
19 I mean, the Industrial has to go somewhere. It could  
20 be next to my house or anybody's house. And it's --  
21 without zoning for years, we have houses everywhere.  
22 So chances are they're going next to somebody's house.  
23 It's just a matter of what fits best for the district,  
24 I think, is the best way to look at it.

1           You know, there's already a Home Depot  
2 distribution next to those houses. Like, not that you  
3 want to flood those houses, but if there's already  
4 stuff there, it might make the most sense to have  
5 industrial where industrial already is.

6           SECRETARY STACY: Could we also interject a  
7 greenbelt --

8           CHAIRPERSON TIMMERMAN: For sure. I say for  
9 sure, but I don't know what the City --

10          MS. LAND: Yeah.

11          SECRETARY STACY: -- to somehow help buffer  
12 that?

13          FROM THE FLOOR: I think that sounds like a  
14 great idea, personally. For what my opinion's worth.

15                My next question -- second question is,  
16 again, this may be jumping ahead, but I hear a lot of  
17 grandfathered, it would be grandfathered.

18                What about, say, shall we call it a nuisance  
19 property that they are not taking care of things or  
20 it's run down. Is there going to be anything built  
21 into this document that's going to be able to assist  
22 the neighbor who has a nuisance next to them or near  
23 them?

24          CHAIRPERSON TIMMERMAN: Cindy, is that



1 something that can even be covered?

2 MS. LAND: It's not covered by zoning.

3 Zoning doesn't deal with neighbors -- the nuisance of  
4 a neighbor. It only deals with the use of the  
5 property after zoning.

6 But there is still -- like, depending on the  
7 type of nuisance, there is an opportunity to go to the  
8 township trustees for relief from that. If it's  
9 debris and garbage, they can go about having it  
10 removed and put it on their taxes. Same way with  
11 noxious weeds.

12 FROM THE FLOOR: Did you say weeds?

13 MS. LAND: Noxious weeds.

14 FROM THE FLOOR: Okay. Like --

15 MS. LAND: Not just grown up grass. They  
16 have to be weeds that fall on that list of noxious  
17 weeds.

18 MS. PARGEON: Jimsonweed.

19 MS. LAND: It's noxious, not obnoxious,  
20 which most people say.

21 FROM THE FLOOR: The guy across the street  
22 has ten rusty, rotted-out cars sitting in his front  
23 yard.

24 MS. LAND: Cars are another whole problem

1 all together. Hard to get rid of. That's a trustee  
2 thing they can do without zoning, so talk to them  
3 about that kind of concept.

4 FROM THE FLOOR: Okay. And that,  
5 theoretically, could be done now?

6 CHAIRPERSON TIMMERMAN: Right.

7 MS. LAND: Right.

8 FROM THE FLOOR: Okay. Thank you.

9 CHAIRPERSON TIMMERMAN: Anybody else? Okay.

10 MR. EVANS: Should we pass these maps out or  
11 do you want to save them all for --

12 SECRETARY STACY: Is there enough for each  
13 of us?

14 CHAIRPERSON TIMMERMAN: I think there's  
15 probably six or so for us. I assume the big ones will  
16 be left here?

17 MS. LAND: Yeah. We'll just leave them in  
18 the office. If there's an extra one, can I have it?

19 CHAIRPERSON TIMMERMAN: Yeah.

20 SECRETARY STACY: Sure.

21 CHAIRPERSON TIMMERMAN: Do you want two  
22 extras?

23 MS. LAND: Just one.

24 VICE CHAIRPERSON REHUS: You might spill

1 coffee on it.

2 MS. LAND: In case I get a request, then  
3 I'll have one.

4 CHAIRPERSON TIMMERMAN: I'll take the spares  
5 if you've got spares.

6 SECRETARY STACY: I will put an extra one  
7 here that's going to go back to the office, if that's  
8 all right.

9 CHAIRPERSON TIMMERMAN: Perfect.

10 SECRETARY STACY: So if we are done, can  
11 I have a motion to adjourn?

12 MS. PARGEON: I make a motion we adjourn.

13 SECRETARY STACY: Second?

14 CHAIRPERSON TIMMERMAN: I'll second.

15 MS. PARGEON: Do you want to go home  
16 tonight?

17 SECRETARY STACY: Everyone agree, say,  
18 "Aye."

19 (Vote taken.)

20 SECRETARY STACY: Motion passed. We're  
21 adjourned.

22 - - -

23 And, thereupon, the proceedings were  
24 concluded at 7:32 p.m.

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<b>Yeah</b> 5:19 9:24 11:15 12:2 13:18 14:12, 13, 21 16:8, 9, 24 19:4, 11 20:2, 13, 21, 24 22:6, 18 23:18 26:23 28:15, 18 31:9, 16 32:8 33:3 34:9 36:9 37:12 38:20 40:5 42:14 43:21 45:11 46:1 48:10 49:10, 13				

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                           Monday, April 22, 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

16                           - - -

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20

21

22                           ANDERSON REPORTING SERVICES, INC.

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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 Clara Pargeon  
16 Matt Cordonnier, Planning Director, Hancock Regional  
17 Planning Commission  
18  
19  
20  
21  
22  
23  
24

- - -

1 MONDAY EVENING SESSION  
2 April 22, 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 22nd 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: All right, guys.  
14 Hey, we're going start our meeting. You can quiet  
15 down.

16 And it is time, I guess, so I'll call the  
17 meeting to order.

18 Start with attendance. Dave Evans.

19 (No response.)

20 CHAIRPERSON TIMMERMAN: Not here.

21 Clara Pargeon.

22 MS. PARGEON: Here.

23 CHAIRPERSON TIMMERMAN: Darrin Rehus.

24 VICE CHAIRPERSON REHUS: Here.

CHAIRPERSON TIMMERMAN: Deb Stacy.

1 SECRETARY STACY: Here.

2 CHAIRPERSON TIMMERMAN: John Timmerman,  
3 here.

4 SECRETARY STACY: I can go ahead and read --

5 MS. LAND: Is there another addenda?

6 CHAIRPERSON TIMMERMAN: You only printed  
7 two?

8 SECRETARY STACY: There's nothing too  
9 exciting on there.

10 Allen Township Zoning Commission,  
11 April 18th, 2024.

12 Attendance: Dave Evans, Clara Pargeon,  
13 Darrin Rehus, Deb Stacy, John Timmerman.

14 Deb Stacy, Allen Township Zoning Commission  
15 Secretary read the April 15th, 2024, minutes.

16 Motion 24-04-11M. John Timmerman moved to  
17 approve the Allen Township Zoning Commission minutes  
18 from the April 15th -- I'm sorry -- from the  
19 April 15th, 2024, meeting. Darrin Rehus moved to  
20 second the motion. Motion passed.

21 Matt Cordonnier, Hancock County Regional  
22 Planning, attended the Allen Township Zoning  
23 Commission meeting. Discussion took place regarding  
24 Business Districts and whether the three business

1 designations should be kept separate or if two types  
2 of Business Districts could be combined.

3 It was concluded the three Business  
4 Districts B-1, B-2, and B-3 should be kept separate.

5 Cindy Land, Assistant County Prosecutor,  
6 will supply definitions for specific words for the  
7 next Zoning Commission meeting.

8 The Allen Township Zoning Commission plans  
9 to discuss Industrial Districts and General  
10 Provisions. This information is included in the Allen  
11 Township, Hancock County proposed Zoning Resolution.

12 During the Allen Township Zoning Commission  
13 meeting, guests were invited to make comments and  
14 offer input on topics pertaining to zoning.

15 A guest inquired about residential areas  
16 being located next to industrial areas. Without  
17 zoning, there often is a haphazard placement of uses.  
18 Once in place prior to zoning, nonconforming areas  
19 will most likely continue to exist. A greenbelt of  
20 trees and shrubs between more disjointed uses can be  
21 beneficial.

22 The purpose of zoning is to provide a  
23 gradual transition of Residential to District  
24 Business, and, then to Industrial.

1 Motion 24-04-12-M. Clara Pargeon moved to  
2 adjourn the meeting. John Timmerman seconded the  
3 motion. The motion passed.

4 We'll get these signed. But can I have a  
5 motion to approve the April 18th, 2024, minutes?

6 MS. PARGEON: I'll make a motion.

7 SECRETARY STACY: Clara.

8 VICE CHAIRPERSON REHUS: I'll second it.

9 SECRETARY STACY: Darrin seconded.

10 Everyone in favor, say "Aye."

11 (Vote taken.)

12 SECRETARY STACY: Motion passed.

13 CHAIRPERSON TIMMERMAN: Do you want to sign?

14 SECRETARY STACY: Yeah.

15 MS. LAND: I do have some definitions for  
16 you; the list of things that we had discussed that we  
17 didn't think that they were well-defined. These are a  
18 starting point. I want you to discuss them and decide  
19 if there's anything that you want changed or altered.

20 CHAIRPERSON TIMMERMAN: Do you want to read  
21 them out loud?

22 I'll read them.

23 Airbnb. A lightly regulated home-sharing  
24 site that lets almost anyone list accommodations for



1 rent.

2 I guess that's pretty accurate.

3 Automobile Repair, Major. The general  
4 repair, rebuilding, and reconditioning of motor  
5 vehicles, engine rebuilding, collision service, such  
6 as body, frame, fender, straightening, and repair,  
7 overall painting and undercoating of automobiles.

8 SECRETARY STACY: You've been asked to read  
9 a louder.

10 CHAIRPERSON TIMMERMAN: What's that?

11 SECRETARY STACY: Turn the volume up a  
12 little, if you could.

13 MS. LAND: She wants you to read louder.

14 SECRETARY STACY: The audience.

15 CHAIRPERSON TIMMERMAN: Automobile Repair,  
16 Minor. The general repair of motor vehicles,  
17 including minor tuneup, change of oil and filter,  
18 repair a flat tire, brake part replacement,  
19 lubrication, or other similar operations.

20 Automobile Service Station. Any building,  
21 structure, or land used for the disbursing, sales, or  
22 offer of sale, or retail, minor accessories, including  
23 the lubrication of automobile, and the replacement or  
24 installation of minor parts and accessories, but not

1 including major repair work, such as motor  
2 replacement, and body and fender repair, or both.

3 MS. LAND: That's a repeat. There's two of  
4 them there that are the same.

5 MS. PARGEON: Yes, there is.

6 MS. LAND: About those, I just found  
7 different definitions from different places for those.  
8 I don't know if you want all of that. Do you want  
9 those left out completely?

10 I think our current one is -- where do I  
11 have that?

12 (Mr. Cordonnier joined the proceedings.)

13 MS. LAND: Currently -- it's not in there.  
14 You have Automobile Service Station in your  
15 definitions and Automobile Repair in what we've  
16 already got in our list.

17 I don't know if you want to take those --  
18 maybe mark those to see about comparing them to those  
19 other two, and, then, next time, you can decide if we  
20 want to alter them or change them or just beef up what  
21 you have or replace what you have with any of these.  
22 I'm not sold on any of them. I have no --

23 CHAIRPERSON TIMMERMAN: Did we add gas  
24 station? Where did we end up on that?

1 MS. LAND: There is -- I don't think we had  
2 gas station on here.

3 CHAIRPERSON TIMMERMAN: Weren't we  
4 considering it, though?

5 MS. LAND: Uh-huh. I think we were  
6 considering adding in fuel and charging stations for  
7 service stations --

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. LAND: -- in service stations for the  
10 sale of minor accessories, fuel, and charging station.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. PARGEON: Yeah. That would be a good  
13 place for it, the Automobile Service Station.

14 CHAIRPERSON TIMMERMAN: Bed and Breakfast.  
15 A small establishment with four to ten guestrooms  
16 where the owner lives on site and provides breakfast  
17 as part of the cost of the room.

18 MS. LAND: That came from Google. I have no  
19 idea whether it's appropriate or not.

20 CHAIRPERSON TIMMERMAN: Google knows  
21 everything.

22 MS. LAND: It's on the internet; it must be  
23 true.

24 CHAIRPERSON TIMMERMAN: Boarding House. A

1 building other than a motel or hotel with three or  
2 more guestrooms used as permanent, more than four  
3 weeks', lodging for compensation.

4 MS. LAND: I think that's the City of  
5 Findlay's definition.

6 CHAIRPERSON TIMMERMAN: Clinic. A health  
7 care facility, smaller than a hospital, where patients  
8 are less sick and do not stay overnight, or where you  
9 receive routine preventive care when you are healthy  
10 or visit your doctor/primary care provider when you  
11 are sick.

12 Convalescence or Nursing Home. A structure  
13 with sleeping rooms where persons are housed or lodged  
14 and are furnished with meals, nursing, and medical  
15 care.

16 Hospital. A building or structure in which  
17 patients or injured persons are given medical or  
18 surgical care, generally with a full-time staff and  
19 facilities for boarding patients overnight. This  
20 definition as used in the Resolution does not include  
21 the care or treatment of animals.

22 Hotel. A building in which lodging or  
23 boarding and lodging are provided and offered to the  
24 public for compensation, and in which ingress and

1 egress to and from all rooms is made through an inside  
2 lobby, hall, or office.

3 Motel. A building in which lodging or  
4 boarding and lodging is provided and offered to the  
5 public for compensation, and in which ingress and  
6 egress to and from all rooms is made from outside the  
7 building directly into each room without having to go  
8 through a lobby or office.

9 Private Club. A building, or portion  
10 thereof, or premises owned or operated by a  
11 corporation, association, membership, person, or  
12 persons for a social, educational, or recreational  
13 purpose, but not primarily for profit or for rendering  
14 a service which is carried on as a business.

15 MS. LAND: Do any of those -- do you have  
16 any issues with any of those?

17 VICE CHAIRPERSON REHUS: I don't think so.

18 MS. PARGEON: No.

19 SECRETARY STACY: They seem fine.

20 MS. LAND: The hospital and clinic, if we  
21 differentiate the difference, one is a day place; the  
22 other is overnight.

23 MS. PARGEON: Right.

24 SECRETARY STACY: Uh-huh.

1 MS. LAND: Hotel, motel, depending if you  
2 enter from the street or from the lobby.

3 SECRETARY STACY: Uh-huh.

4 CHAIRPERSON TIMMERMAN: Right.

5 MS. LAND: And Private Club, I think that  
6 may have come from the City or maybe Marion Township.  
7 I looked in others to see what they had.

8 SECRETARY STACY: Okay.

9 MS. LAND: But all of these are -- they're  
10 alterable. You can do however you want with them.

11 SECRETARY STACY: Uh-huh.

12 MS. LAND: Okay.

13 CHAIRPERSON TIMMERMAN: I think, for now,  
14 they work.

15 MS. PARGEON: They're plain and simple.

16 CHAIRPERSON TIMMERMAN: Recreational  
17 Facilities. Noncommercial recreational facilities,  
18 private and semi-private recreational facilities which  
19 are not operated for commercial gain, including  
20 private country clubs, riding stables, golf courses,  
21 game preserves, and other private noncommercial  
22 recreational areas and facilities or recreational  
23 centers, including private community swimming pools  
24 and marinas.

1 MS. LAND: Marinas. Are you guys going to  
2 have one of those, do you think?

3 SECRETARY STACY: I don't think so.

4 CHAIRPERSON TIMMERMAN: I doubt it.

5 MS. LAND: You can take it out, if you want.

6 CHAIRPERSON TIMMERMAN: Aren't they -- is  
7 the lake, kind of, going away or something? Didn't I  
8 hear that?

9 MS. LAND: What lake?

10 MS. PARGEON: Yes. Eventually.

11 CHAIRPERSON TIMMERMAN: Eventually.

12 MS. PARGEON: The last of their three-year  
13 project.

14 CHAIRPERSON TIMMERMAN: Okay. So marina  
15 gets less important.

16 Commercial Recreational Facilities.  
17 Recreational facilities established and operated for  
18 profit, such as commercial golf courses, swimming  
19 pools, racetracks, amusement parks, carnivals, and  
20 similar commercial enterprises.

21 MS. LAND: That's the City of Findlay's  
22 definition of "Recreation." But we also -- in your  
23 definition you already have -- you have Indoor  
24 Recreation, and that's the one that had bowling alleys

1 and things like that. So you could put Indoor  
2 Recreation in the list under Recreational Facilities,  
3 noncommercial, commercial, and indoor.

4 CHAIRPERSON TIMMERMAN: Okay. Does that  
5 make --

6 MS. LAND: It's up to you.

7 CHAIRPERSON TIMMERMAN: Or you can divide  
8 them out. I mean --

9 MS. LAND: I mean, I don't -- I don't think  
10 the things that you have listed in there fit under  
11 Commercial Recreational Facilities, but I also don't  
12 believe they are noncommercial recreational  
13 facilities. They are for-profit enterprises. Axe  
14 throwing, bowling alleys, indoor soccer or tennis.  
15 Those volleyball -- indoor volleyball.

16 A lot of those things -- I mean, they are --  
17 they charge a lot of money to be able to use them, so  
18 they are noncommercial. What do we do with them?  
19 What do you suggest?

20 MR. CORDONNIER: To me, it's the size of the  
21 building. Indoor axe throwing in a small facility  
22 versus -- in Fort Wayne, they've got the 18 basketball  
23 courts under one roof. They're both indoor. They're  
24 both quite different. One is 4,000 square feet, and



1 one is 400,000 square feet. I have no idea.

2 CHAIRPERSON TIMMERMAN: Right.

3 MR. CORDONNIER: So, to me, it's not -- it's  
4 not that it's indoor recreation, but it's more of the  
5 size of the building.

6 MS. LAND: How would you have them -- what  
7 suggestions do you have for how to put this in there?

8 MR. CORDONNIER: For a definition?

9 MS. LAND: Yeah. Because would it fall  
10 under a non -- I mean, it can be small. I mean, a  
11 small axe throwing kind of thing, but it's still not  
12 noncommercial. You pay to go in and they're making  
13 money off of it. It's their business.

14 MR. CORDONNIER: Yeah. I think -- I don't  
15 know. To me, the common thread with these are mostly  
16 outdoor.

17 MS. LAND: Uh-huh. Would you want to have  
18 the Indoor Recreational Facilities permitted in the  
19 Business District based on their size?

20 MR. CORDONNIER: Yeah.

21 MS. LAND: So they would just be businesses?

22 MR. CORDONNIER: Yeah.

23 MS. LAND: Then you probably don't need the  
24 Indoor Recreational definition, if you want to look at

1 it that way.

2 CHAIRPERSON TIMMERMAN: Okay.

3 MR. CORDONNIER: With the building size  
4 restrictions, I mean, that kind of takes care of it.

5 MS. LAND: I'll find it in the list. Now  
6 I just go back for it.

7 CHAIRPERSON TIMMERMAN: Screening. The  
8 provision of a physical barrier intended to obscure  
9 view from one property to another. The screening  
10 typically runs parallel to a property line and  
11 consists of opaque material, both natural and  
12 manufactured.

13 Natural landscaping involves using tall  
14 bushes, such as arborvitaes, hedges, or fir trees and  
15 other coniferous vegetation.

16 It may also involve the use of mounding and  
17 shorter-growth vegetation. Manufactured screening is  
18 typically in the form of fencing, wood or vinyl, or in  
19 walls made of stone or brick. Screening height  
20 typically measures 6 feet, but may be as high as  
21 8 feet, depending upon the uses adjacent to the site  
22 subject to the review. The screening may be combined  
23 with buffering to offset different uses and their  
24 effects.

1 MS. LAND: That came out of the Findlay  
2 book.

3 MR. CORDONNIER: Yeah, I saw it. It sounds  
4 long-winded.

5 MS. LAND: Yeah.

6 MS. PARGEON: It makes -- yeah.

7 SECRETARY STACY: I think it's good.

8 MS. LAND: What about, "The screening may be  
9 combined with buffering to offset different uses and  
10 their effects"? I don't think we have anything about  
11 buffering in the book.

12 CHAIRPERSON TIMMERMAN: Is buffering just  
13 like the spacing? The distance? Is that what  
14 buffering is?

15 MR. CORDONNIER: Yeah.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MR. CORDONNIER: Some developments would  
18 require a 100-foot landscape buffer, or something like  
19 that. And, then, within that, that's where you put  
20 the required screening. But I don't know that this  
21 code goes into that.

22 MS. LAND: We could leave that there. I  
23 guess it won't hurt anything.

24 Is there anything about that that you guys

1 don't like?

2 CHAIRPERSON TIMMERMAN: Initially, no. It  
3 seems okay to me.

4 MS. PARGEON: Yeah.

5 SECRETARY STACY: I think that's great.

6 CHAIRPERSON TIMMERMAN: Looks okay to me.  
7 I like the buffering option. Just the fact  
8 that there's housing already everywhere, is there a  
9 way to add buffering to give them space? People are  
10 already concerned about what's going to be happening  
11 right next to them.

12 MS. LAND: That buffering naturally happens  
13 with your setbacks. I mean, that's the whole -- the  
14 spaces between.

15 CHAIRPERSON TIMMERMAN: Yeah.

16 MS. LAND: But I think we're basically  
17 saying, if you need to screen, you can put it on your  
18 setback, right?

19 MR. CORDONNIER: I mean, this is just the  
20 definition. I've worked at communities where -- and  
21 Findlay's reflects that somewhat. If you're building  
22 a commercial district and you're building a commercial  
23 building, and it's adjacent to a residential use or  
24 zoning, you have to put in -- and they had three

1 levels of screening: Level 1 Screening, Level 2,  
2 Level 3. And, then, depending -- and, then, in  
3 Industrial next to Residential usually required the  
4 highest level, which is Level 3. And, then, like,  
5 Multi-Family next to Residential, probably no  
6 screening. Office next to Residential, like,  
7 Level 1 screening.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MR. CORDONNIER: That's how Findlay's is.  
10 I stole some of the concepts from Fisher's Indiana,  
11 and we put that in Findlay's code. It's worked pretty  
12 well. I've been fairly happy with it.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MR. CORDONNIER: But that would be something  
15 that you have to put in the code. Just the definition  
16 doesn't handle that.

17 SECRETARY STACY: Right. You're talking  
18 about different levels. So to have a more heavy-duty  
19 screening, maybe that's -- we're addressing height,  
20 but we're really not addressing what, correct?

21 MR. CORDONNIER: This is just the  
22 definition.

23 SECRETARY STACY: Right. Okay.

24 MS. LAND: In our General Provisions, we'll

1 probably have a section on screening --

2 SECRETARY STACY: Okay.

3 MS. LAND: -- and buffering. Then we can  
4 tweak that portion of it, which may make us come back  
5 and tweak the definitions. But, at least, then --

6 CHAIRPERSON TIMMERMAN: Right.

7 MS. LAND: Yeah.

8 SECRETARY STACY: Okay.

9 MS. LAND: In some of this, we feel like  
10 we're doing it in a vacuum. When we get done and we  
11 read all through it, we're like, Oh, that all works  
12 together. That's our goal.

13 Is there anything on there that you want  
14 changed? Altered? Any more that you want?

15 VICE CHAIRPERSON REHUS: I don't think so.

16 MS. PARGEON: Sounds good.

17 MS. LAND: That is what I have written down  
18 from the last meeting. It won't hurt my feelings if  
19 you want to pick any of them apart and turn them to  
20 something else because Google gave me half of them.  
21 Some came from Findlay, some came from Marion  
22 Township, and some came from Amanda Township.

23 SECRETARY STACY: I think they are good.

24 MS. PARGEON: Yeah.

1 MR. CORDONNIER: We have a planning and  
2 zoning definition book. It's outdated. It's about  
3 15 years old. It takes, you know, the definition of  
4 clinic, and it gives you ten examples from different  
5 communities. I'll see if I can round that up.

6 MS. LAND: That would be great.

7 MR. CORDONNIER: A more current version  
8 would be even better.

9 MS. LAND: I honestly sat at my desk, looked  
10 at my computer going, Hum. No idea where to find  
11 these things, so I asked Google.

12 MR. CORDONNIER: Yeah.

13 MS. LAND: And most of anything that I took  
14 from just Googling the terms, I got several different  
15 options that came up and I combined them into what I  
16 thought was the most logical for you guys.

17 CHAIRPERSON TIMMERMAN: Moving on to I-1  
18 then?

19 MS. LAND: Yeah. I guess that's where we  
20 are.

21 CHAIRPERSON TIMMERMAN: Clara, do you have  
22 any interest in reading?

23 MS. PARGEON: What page are you on?

24 CHAIRPERSON TIMMERMAN: 28.

1 MS. PARGEON: I'm reading here, or is  
2 that --

3 CHAIRPERSON TIMMERMAN: No.

4 MS. PARGEON: Right here. Section 12.  
5 Intent.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. PARGEON: The I-1, Light Industrial  
8 Districts, are designed so as to accommodate wholesale  
9 activities, warehouses, and industrial operations  
10 whose external physical effects are restricted to the  
11 area of the district, and in no manner affect in a  
12 detrimental way any of the surrounding districts.

13 The I-1 District is so structured as to  
14 permit, along with any specific uses, the  
15 manufacturing, compounding, processing, packaging,  
16 assembly, or treatment of finished or semi-finished  
17 products from previously prepared material.

18 It is further intended that the processing  
19 of the raw material for shipment in bulk form to be  
20 used in an industrial operation at another location  
21 not be permitted.

22 The general goals of this use district  
23 include, among others, the following specific  
24 purposes:



1           1. To provide significant space and  
2 appropriate locations to meet the needs of the  
3 township's expected future economy for all types of  
4 manufacturing and related uses.

5           2. To protect abutting Residential  
6 Districts by separating them from manufacturing  
7 activities and by prohibiting the use of such  
8 industrial areas for new residential development.

9           3. To promote manufacturing development,  
10 which is free from danger of fire, explosions, toxic  
11 and noxious matter, radiation, and other hazards and  
12 from offensive noise, vibration, smoke, odor, and  
13 other objectionable influences.

14           4. To protect the most desirable use of  
15 land in accordance with a well-considered plan to  
16 protect the character and established pattern of  
17 adjacent development and, in each area, to conserve  
18 the value of the land and buildings and other  
19 structures and to protect the township's tax revenue.

20           CHAIRPERSON TIMMERMAN: Any thoughts through  
21 any of that?

22           The one I highlighted was No. 2, To protect  
23 abutting Residential Districts. I think that's going  
24 to be a big thing for everybody.

1 MS. PARGEON: Uh-huh.

2 CHAIRPERSON TIMMERMAN: I don't -- can it be  
3 more than just Residential Districts? Is it -- I  
4 don't know that you have to spell it out here  
5 necessarily, but is it just districts, or is it  
6 residential properties?

7 MS. LAND: We can't -- I think it has to be  
8 districts.

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. LAND: Because -- what do you think?

11 MR. CORDONNIER: It says -- I would say uses  
12 and -- I don't know. Generally, you either talk about  
13 the use or how it's zoned. So I would say property  
14 zoned Residential. Property used or zoned as  
15 Residential.

16 At the same time, I've been a planner for  
17 20 years, and maybe I'm not a good planner, but the  
18 intent of the district, I read about every four or  
19 five years. You look at the Permitted Uses. You look  
20 at the Conditional Uses. You know, I mean, the intent  
21 does not come into play --

22 CHAIRPERSON TIMMERMAN: Okay.

23 MR. CORDONNIER: -- that often.

24 MS. PARGEON: It says, "to protect abutting

1 Residential Districts."

2 MS. LAND: Want to say Residential Districts  
3 and uses?

4 CHAIRPERSON TIMMERMAN: Sure.

5 MS. PARGEON: Yes.

6 MS. LAND: That would kind of take into  
7 account what you --

8 CHAIRPERSON TIMMERMAN: Right.

9 MR. CORDONNIER: The Intent statement is  
10 important. At the same time, you look at your  
11 standards. What are the Permitted Uses? What are the  
12 setbacks? Those are the things that come into play --

13 CHAIRPERSON TIMMERMAN: Sure.

14 MR. CORDONNIER: -- more often.

15 CHAIRPERSON TIMMERMAN: Sure. Keep going.

16 MS. PARGEON: Section 1201. Principal Uses  
17 Permitted.

18 MS. LAND: Which will become Permitted Uses.  
19 We're changing all of the 01s, Principal Uses,  
20 Permitted to Permitted Uses. You guys don't have to  
21 do it if you don't want to because I'll take care of  
22 it.

23 MR. CORDONNIER: I'll say one thing. When I  
24 think of the I-1 District, in general, it's the idea

1 that those manufacturing and those things occur within  
2 a building. That's kind of -- whether you're  
3 manufacturing microchips or manufacturing rubber  
4 duckies -- or whatever you're manufacturing, it's in a  
5 building. We all know what that building looks like,  
6 it's like a giant Morton building. You know, so  
7 that's more of the idea -- a little bit more of it  
8 occurs within the building.

9 CHAIRPERSON TIMMERMAN: But it's still right  
10 next to somebody's house potentially?

11 MR. CORDONNIER: Correct.

12 CHAIRPERSON TIMMERMAN: Right.

13 MR. CORDONNIER: Maybe if there's a -- is  
14 there an -- I don't know if you guys have an I-2.

15 CHAIRPERSON TIMMERMAN: There is an I-2.

16 MR. CORDONNIER: That's more of, like, strip  
17 mining and more of those things that are really  
18 visible.

19 CHAIRPERSON TIMMERMAN: Right.

20 MS. PARGEON: Ready for me to go?

21 CHAIRPERSON TIMMERMAN: Sure.

22 MS. PARGEON: In a Light Industrial  
23 District, no building or land shall be used, and no  
24 building shall be erected, except for one or more of

1 the following specified uses, unless otherwise  
2 provided in this Resolution:

3 1. Any use charged with the principal  
4 function of basic research, design, and pilot or  
5 experimental product development when conducted within  
6 a completely enclosed building.

7 2. Any of the following uses when the  
8 manufacturing, compounding, or processing is conducted  
9 wholly within a completely enclosed building. That  
10 portion of the land used for open storage facilities  
11 for materials or equipment used in the manufacturing,  
12 compounding, or processing shall be totally obscured  
13 by a screen on those sides abutting RE, R-1, R-2,  
14 RM-1, B-1, and B-2 Districts. And on any front yard  
15 abutting a public thoroughfare, except as otherwise  
16 provided in section Screening Requirements.

17 In I-1 Districts, the extent of such a  
18 screen shall not be less than four 4 feet, 6 inches in  
19 height and may, depending upon land usage, be required  
20 to be 8 feet in height and shall be subject further to  
21 the requirements of Article -- is that XV?

22 MS. LAND: Uh-huh.

23 MS. PARGEON: General Provisions.

24 CHAIRPERSON TIMMERMAN: On that, the

1 definition you provided says 6-foot and maybe an  
2 8-foot screening.

3 MS. LAND: Uh-huh.

4 CHAIRPERSON TIMMERMAN: We've got 4 foot, 6.

5 MS. LAND: 4 foot, 6 here. Yeah.

6 CHAIRPERSON TIMMERMAN: Do you want to  
7 change that to 6 foot?

8 MS. LAND: Do you want to, or do you want to  
9 keep it 4 feet, 6?

10 CHAIRPERSON TIMMERMAN: What are your  
11 thoughts on that?

12 MS. PARGEON: I'd say leave it at 6 feet.  
13 Nobody's going to try to climb it then.

14 CHAIRPERSON TIMMERMAN: I'm okay with going  
15 to 6 feet.

16 SECRETARY STACY: Do you want to do a  
17 minimum of 6 feet?

18 MS. LAND: Well, you don't want much more  
19 than 8 either. That might get kind of weird.

20 SECRETARY STACY: Okay.

21 CHAIRPERSON TIMMERMAN: The only other  
22 thoughts I had was the listing of all the districts up  
23 there. We do not have an R-2.

24 MS. LAND: Yeah, you do.

1 CHAIRPERSON TIMMERMAN: Residential 2?

2 MS. LAND: Don't we? Oh, we took it out.

3 SECRETARY STACY: Yeah.

4 CHAIRPERSON TIMMERMAN: We have a B-3. This  
5 says B-1 and B-2.

6 SECRETARY STACY: Yeah. Okay. So we're  
7 talking about a completely enclosed building for I-1?

8 MS. LAND: Uh-huh.

9 SECRETARY STACY: And, then, in the next  
10 paragraph, it talks about open storage.

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: Right.

13 SECRETARY STACY: So part of I-1 is  
14 completely enclosed, and part of it can happen  
15 outside?

16 MS. LAND: With a yard that's fully  
17 enclosed. Yeah.

18 SECRETARY STACY: Okay.

19 MS. LAND: The biggest thing about R-1 is,  
20 what they're doing doesn't affect -- have adverse  
21 effects on the properties around them.

22 Like, you know, you can have a lumber yard  
23 that has a whole lot of stuff laying in its yard. It  
24 doesn't really hurt anybody. But you might also have

1 something that's completely enclosed in the building  
2 that's belching out black smoke that's making  
3 everybody feel nauseous. That would definitely not  
4 fit here because the effects of what they're doing are  
5 affecting the people around them.

6 MR. CORDONNIER: That's similar to  
7 Findlay's. You can have an industrial building, and,  
8 then, you can have a fenced-in storage area. I think  
9 the difference is, if there's an industry where you  
10 were doing -- you know, if you're assembling roof  
11 trusses and you were doing that outside, that's more  
12 of a --

13 CHAIRPERSON TIMMERMAN: Okay.

14 MR. CORDONNIER: To me, that's more of an  
15 I-2.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MR. CORDONNIER: Indoor manufacturing,  
18 et cetera, outdoor storage.

19 MS. LAND: Because what you're doing will  
20 have an effect -- people will be able to hear it. It  
21 will have an effect on their noise if you're building  
22 trusses outside all day, every day.

23 So we have RE, R-1, RM-2, RM-1.

24 CHAIRPERSON TIMMERMAN: Did we get rid of



1 RE?

2 MS. LAND: No, we kept that. It's ES.

3 CHAIRPERSON TIMMERMAN: We have ES. That's  
4 expressways.

5 MS. LAND: We got rid of RE.

6 CHAIRPERSON TIMMERMAN: We got rid of RE  
7 also.

8 MS. LAND: Did we?

9 CHAIRPERSON TIMMERMAN: Yeah. That was the  
10 one that you said -- I don't remember what --

11 MS. LAND: This is what happens when you  
12 cram too much at me at once. I forget what I'm --  
13 we'll take out --

14 SECRETARY STACY: We took -- got rid of RE,  
15 Residential Estate.

16 CHAIRPERSON TIMMERMAN: Right.

17 MS. LAND: So we have R-1, RM-1, right?

18 MS. PARGEON: Yeah.

19 MS. LAND: And then B-1, 2, and 3?

20 CHAIRPERSON TIMMERMAN: Yeah.

21 MS. LAND: Okay. That's what we'll have in  
22 here.

23 MS. PARGEON: Ready to go on with A?

24 CHAIRPERSON TIMMERMAN: Sure.

1 MS. PARGEON: Warehousing, wholesale  
2 establishments, and trucking facilities.

3 B. The manufacture, compounding,  
4 processing, packaging or treatment of such products  
5 as, but not limited to, bakery goods, candy,  
6 cosmetics, toiletries, food products, hardware, and  
7 cutlery, tool, dye, gauge, and machine shops.

8 MS. LAND: Wait a minute. Do we have to  
9 have that list in there? We're getting rid of most of  
10 the --

11 MS. PARGEON: Yeah.

12 CHAIRPERSON TIMMERMAN: I would agree with  
13 that.

14 MR. CORDONNIER: Yeah.

15 MS. LAND: What would you put in there to  
16 just -- manufacture, compounding, processing and  
17 packaging of products?

18 MR. CORDONNIER: Manufacturing completely  
19 enclosed within a building.

20 MS. LAND: That's up at the top.

21 MR. CORDONNIER: Yeah. Again, whatever  
22 they're doing in the building doesn't -- it's in the  
23 building. Whether it's a million -- you can make --  
24 we could sit here all night and make a list of

1 different things that could be manufactured in a  
2 building.

3 CHAIRPERSON TIMMERMAN: Right.

4 MS. LAND: And still miss the one that they  
5 come and ask about.

6 MS. PARGEON: Yeah.

7 MS. LAND: So we will take out the word  
8 "such," leave "products," and take out the rest of the  
9 sentence. We will add, "completely enclosed within a  
10 building."

11 SECRETARY STACY: Okay.

12 CHAIRPERSON TIMMERMAN: You did that from B,  
13 correct?

14 MS. LAND: On B. Correct. Yeah. We're  
15 going to have to do something similar on C.

16 CHAIRPERSON TIMMERMAN: Yeah.

17 MS. PARGEON: C. The manufacture,  
18 compounding, assembly, or treatment of articles of  
19 merchandise from previously prepared materials, bone,  
20 canvas, cellophane, cloth, cork.

21 MS. LAND: Don't even bother reading the  
22 list.

23 MS. PARGEON: Okay. Good.

24 MS. LAND: Do we even need that with B?

1 Once we did B, the manufacture --

2 MS. PARGEON: Processing and packaging.

3 MS. LAND: It almost seems like a -- of  
4 products or articles. I don't think we need it. I  
5 think B covers it.

6 MS. PARGEON: Yeah.

7 SECRETARY STACY: I think so, too.

8 VICE CHAIRPERSON REHUS: Just take C out?

9 MS. PARGEON: Take out C out.

10 MS. LAND: Yeah. D is an odd one.

11 MS. PARGEON: D. The manufacture of pottery  
12 and figurines, or other similar ceramic products,  
13 using only previously pulverized clay and kilns fired  
14 only by electricity or gas.

15 MS. LAND: That's pretty specific.

16 MR. CORDONNIER: It's the same thing.

17 MS. LAND: As long as it's carried on within  
18 the building, manufacture of products.

19 MS. PARGEON: Yeah. As long as it's in the  
20 building.

21 MS. LAND: I would take that out too.

22 MR. CORDONNIER: Take it out. Yeah.

23 MS. LAND: Although, we'll take this out,  
24 and somebody will come and want to put in a kiln

1 that's wood-fired or something.

2 CHAIRPERSON TIMMERMAN: That goes back to --

3 MR. CORDONNIER: As long as it's still  
4 within their building and we can't smell it, I guess  
5 we don't care.

6 CHAIRPERSON TIMMERMAN: It's not obnoxious  
7 or whatever.

8 MS. PARGEON: Right.

9 E. Manufacture of musical instruments,  
10 toys, novelties, and metal or rubber stamps, or other  
11 molded rubber products.

12 MR. CORDONNIER: Strike it.

13 MS. LAND: Yeah.

14 MS. PARGEON: Okay.

15 MS. LAND: I think we can strike that.

16 CHAIRPERSON TIMMERMAN: And the next one.

17 MS. HOLDERMAN: F. Manufacture or assembly  
18 of electrical appliances, electronic instruments, and  
19 devices, radios, and phonographs.

20 MS. LAND: Now, if we end up not being able  
21 to get our phonographs fixed because we've knocked  
22 this out of here, we're all going to be feeling bad.

23 I think we ought to strike it.

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MS. PARGEON: Someone would know how to fix  
2 them somewhere. At a museum.

3 CHAIRPERSON TIMMERMAN: G. Laboratories,  
4 experimental, film, or testing.

5 MS. LAND: What is that?

6 CHAIRPERSON TIMMERMAN: I don't know.

7 MS. PARGEON: Chemistry sets.

8 MS. LAND: We don't want those.

9 MS. PARGEON: No.

10 MS. LAND: They blow up.

11 MS. PARGEON: Yes.

12 SECRETARY STACY: Depends on what they're  
13 testing as well.

14 MS. LAND: Experimental film or testing. I  
15 have no idea what that means.

16 MS. PARGEON: Film, like, for packaging  
17 stuff, or film for coating metal?

18 SECRETARY STACY: There's something called  
19 O.H. Materials, and they --

20 CHAIRPERSON TIMMERMAN: What was it?

21 SECRETARY STACY: O.H. Materials, which is a  
22 sample prep, heavily into PCPs.

23 MS. LAND: Okay. Maybe.

24 O.H. Materials is going to be one of your

1 learning items. They started out as a tiny little Use  
2 Variance, because, We just want to put a little office  
3 here to send people out on. Now they have this huge  
4 complex and they left. It just keeps getting reused  
5 by things that they have no control over. Use  
6 Variances are bad.

7 I don't know what this is to be even able to  
8 say if we should have it. Laboratories, experimental,  
9 film, or testing.

10 MR. CORDONNIER: Again, is it conducted in a  
11 building?

12 SECRETARY STACY: Uh-huh.

13 MS. PARGEON: Yeah.

14 MS. LAND: Should we just say laboratories?  
15 Whatever that other stuff is, we don't really --

16 SECRETARY STACY: I think we could just go  
17 with laboratories.

18 MR. CORDONNIER: Yeah. I mean, Blanchard  
19 Valley Hospital has laboratories.

20 MS. PARGEON: Yeah.

21 SECRETARY STACY: Sure. Yes.

22 MR. CORDONNIER: So I --

23 MS. LAND: Do you want to add -- do we want  
24 to add laboratories where all function is within the

1 building?

2 CHAIRPERSON TIMMERMAN: I think that's --

3 MS. LAND: Something to that effect?

4 MS. PARGEON: Yeah. Keep it inside.

5 CHAIRPERSON TIMMERMAN: Keep it consistent.

6 MS. LAND: We don't want anybody putting a  
7 body farm out there.

8 MS. PARGEON: No.

9 H. Manufacturing and repair of electrical  
10 or neon signs, light sheet metal products, including  
11 heating and ventilating equipment.

12 MR. CORDONNIER: Let's strike it.

13 MS. LAND: Yeah.

14 MS. PARGEON: I. Central dry-cleaning  
15 plants or laundries, provided that such plants shall  
16 not deal directly with consumer at retail.

17 MS. LAND: Yeah, that's fine.

18 MS. PARGEON: J. All public utilities,  
19 including buildings, necessary structures, storage  
20 yards, and other related issues -- uses. Sorry uses.

21 MS. LAND: That's good to have.

22 MS. PARGEON: 3. Warehouse, storage, and  
23 transfer, and electric and gas service buildings and  
24 yards. Public utility buildings, telephone exchange



1 buildings, electric transformer stations, and  
2 substations, and gas regulator stations, water supply  
3 and sewage disposal plants, water and gas tank  
4 holders, railroad transfer and storage tracks,  
5 railroad right-of-ways, and freight terminals.

6 MR. CORDONNIER: I think the statement above  
7 it says everything you need. All public utilities,  
8 including buildings, necessary infrastructure,  
9 et cetera.

10 MS. PARGEON: So we don't need No. 3.

11 MS. LAND: J covers it.

12 CHAIRPERSON TIMMERMAN: You're getting rid  
13 of 3?

14 MS. LAND: Keeping 2, not keeping 3.

15 MS. PARGEON: Right.

16 CHAIRPERSON TIMMERMAN: Gotcha.

17 MS. LAND: Wait a minute. The one we're  
18 getting rid of is the warehouse, storage, and  
19 transfer, electric, gas, right?

20 CHAIRPERSON TIMMERMAN: Yes.

21 MS. LAND: Mine has an automatic re-numberer  
22 on it and my numbers aren't the same. Okay. We're  
23 good.

24 MS. PARGEON: 4. Storage facilities for

1 building materials, sand, gravel, stone, lumber,  
2 storage for contractor's equipment and supplies,  
3 provided such is enclosed within a building or within  
4 an obscuring wall or fence on those sides abutting all  
5 Residential or Business Districts, and on any yard  
6 abutting a public thoroughfare. In any I-1 District,  
7 the extent of such fence or wall may be determined by  
8 the Zoning Commission on the basis of usage.

9 5. Trade or Industrial Schools.

10 6. Free-standing, non-accessory signs.

11 7. Other uses of a similar character to the  
12 above uses.

13 8. Accessory buildings and uses customarily  
14 incident to any of the above-permitted uses.

15 Okay. That's the end of that one.

16 MS. LAND: Anything anybody wants to talk  
17 about?

18 MR. CORDONNIER: Let me -- I'll give you  
19 kind of some thoughts. So manufacturing, we've got  
20 that.

21 Warehousing, I think we got that.

22 Major automotive repair, to include, like,  
23 collision and body shops, et cetera. Semi-truck  
24 repair, sales, and service. So all of the things I'm

1 listing are not permitted in any other district other  
2 than I-1, at least in the City of Findlay.

3 Self-storage facilities are only permitted  
4 in I-1. Truck stops. Kennels, outdoor/indoor.

5 Now, in Allen Township, it's a different  
6 dynamic. You know, kennels probably should be allowed  
7 in Agricultural, different things. But in the City,  
8 the only appropriate place is in I-1.

9 Towing, towing operations, and storage lots.  
10 RV sales. Bulk sale of topsoil and mulch. So those  
11 are kind of -- truck stops, self-storage, towing  
12 operations, RV sales, bulk outdoor sales, those are  
13 the categories for some context. The statement about  
14 free-standing, non-accessory signs, that normally kind  
15 of means that's generally --

16 MS. LAND: Billboards.

17 MR. CORDONNIER: -- billboards.

18 MS. PARGEON: Billboards. Yeah.

19 MR. CORDONNIER: All the things I discussed  
20 were Permitted Uses in I-1.

21 CHAIRPERSON TIMMERMAN: We have kennels  
22 under Conditional Uses. That's where it falls there.  
23 We mentioned that.

24 MS. LAND: Do you have a copy of this code?

1 MR. CORDONNIER: Not with me, no.

2 MS. LAND: Here's my hard copy. I got one  
3 for you.

4 CHAIRPERSON TIMMERMAN: We're on Page 30,  
5 right now.

6 MS. LAND: Now, they've got -- I think  
7 we're -- what is that? Is that I-2?

8 MR. CORDONNIER: That's I-2.

9 MS. LAND: These are just pages from the old  
10 book. There's nothing that they are going through.

11 MR. CORDONNIER: Yeah.

12 Warehousing and wholesale establishments,  
13 trucking facilities, I'm fine with that.

14 And, then, I just say Light Manufacturing  
15 covers, like, the next bunch. Central dry cleaning is  
16 fine.

17 I don't know if you want to put, like -- if  
18 you want to put major automotive repair.

19 CHAIRPERSON TIMMERMAN: I mean, I think it  
20 was mentioned in the --

21 VICE CHAIRPERSON REHUS: It was.

22 CHAIRPERSON TIMMERMAN: -- earlier on in the  
23 Intent.

24 MS. LAND: Farther down we have, under the

1 Conditional Uses, they have auto, engine, and body  
2 repair, undercoating shops when completely enclosed.

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MR. CORDONNIER: Then Conditional Uses that  
5 Findlay has, sales or showrooms, you run into the  
6 people that manufacture, but, then, also have a sales  
7 room.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MR. CORDONNIER: Kind of does that fall  
10 under Commercial or does that fall under Industrial?

11 MS. LAND: Generally we put that on -- I  
12 think, in the past, usually we've looked at that as  
13 going to Industrial, and they can have that Commercial  
14 use in the front --

15 MR. CORDONNIER: Yeah.

16 MS. LAND: -- of it. I say in the front  
17 but, you know, the --

18 CHAIRPERSON TIMMERMAN: I would agree.

19 MS. LAND: -- storefront kind of thing.

20 MR. CORDONNIER: Just because -- essentially  
21 just because they are doing retail doesn't mean they  
22 are not --

23 MS. LAND: Not doing the manufacturing.

24 MR. CORDONNIER: Exactly.

1 MS. LAND: It should go into whatever their  
2 function is that is the most offensive. Which is not  
3 -- I don't mean that as --

4 CHAIRPERSON TIMMERMAN: Right.

5 MS. LAND: -- offensive, but most likely to  
6 cause an issue.

7 SECRETARY STACY: Right.

8 MR. CORDONNIER: Adult entertainment  
9 establishments, drive-in movie theaters, refuse  
10 transfer station, and recycling centers, and, then,  
11 any additional less intensive, non-objectionable use  
12 which are subject to Planning Commission review.  
13 That's kind of their catch-all.

14 SECRETARY STACY: Have we addressed adult  
15 entertainment in that?

16 MS. LAND: Not yet. We have the whole  
17 section to stick in there.

18 SECRETARY STACY: Okay.

19 MS. LAND: And we'll address those and  
20 figure out where to put them once we look at that. We  
21 have to look at that. And, then, there's the entire  
22 section about the marijuana -- recreational marijuana  
23 use. Then there will be a section about wind and  
24 solar. Each of those will have their own section,

1 and, then, they'll get placed into where they go in  
2 the --

3 CHAIRPERSON TIMMERMAN: Does that fall back  
4 in, like, General Provisions?

5 MS. LAND: Yeah. Somewhat.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. LAND: But back past all of these  
8 individuals areas. And, then, we can identify them  
9 with, like, a one line in any of the areas where  
10 they're permitted because it will refer back to their  
11 section.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: I don't know. You can, I think,  
14 prohibit the use or the adult entertainment  
15 everywhere, and you can prohibit marijuana everywhere,  
16 I think, because your trustees have already --

17 SECRETARY STACY: Correct.

18 MS. LAND: -- authorized that it can be  
19 prohibited.

20 SECRETARY STACY: Correct. For Commercial  
21 use.

22 MS. LAND: And, then, the wind and solar --  
23 do you have a template? I think Jacob does for the  
24 wind and solar kind of provision for zoning. I have

1 one that Delaware used, and he did one for Portage and  
2 Washington.

3 MR. CORDONNIER: Washington and Portage he  
4 put together.

5 MS. LAND: They are very similar.

6 MR. CORDONNIER: Yeah.

7 MS. LAND: The one I used, I pulled the  
8 skeleton of it off of Ohio Township Trustees  
9 Association website, and I don't know if he did the  
10 same thing --

11 MR. CORDONNIER: I think he did.

12 MS. LAND: -- because it was a very  
13 similar --

14 MR. CORDONNIER: I think, yeah.

15 MS. LAND: -- format.

16 And, I think, next time, I'll bring all  
17 three of those for you guys to look at and start  
18 deciding how you want -- because there are a lot  
19 things that need the blanks filled in. This is --  
20 because there are ranges, parameters of things that  
21 you will or won't permit and you have to pick those  
22 things.

23 But I want to give them to you so you guys  
24 can have a chance to -- I'd like to give them to you



1 on Thursday so you have until Monday to work on them  
2 over the weekend because that's going to take some  
3 thought.

4 CHAIRPERSON TIMMERMAN: Right.

5 SECRETARY STACY: Okay.

6 MS. PARGEON: Ready for 1202?

7 MS. LAND: Do you want to add in here things  
8 like -- under Conditional Uses, I think we have --  
9 we'll get to the auto repair and all of that. But,  
10 like, self-storage, that should be probably just in  
11 the Permitted Uses in Light Industrial.

12 MR. CORDONNIER: Yeah. That's what -- yeah.

13 CHAIRPERSON TIMMERMAN: I think so.

14 MS. LAND: Or do you want them under  
15 Conditional Uses so you can see the site plan and the  
16 ingress and egress?

17 MR. CORDONNIER: You still get to see that.  
18 Permitted Use, they still have to come to Planning  
19 Commission.

20 MS. LAND: Not according to what we've got  
21 in here.

22 MR. CORDONNIER: If they are constructing a  
23 new building, if they are constructing --

24 MS. LAND: Oh, you mean -- for what?

1 MR. CORDONNIER: For a site plan review.

2 MS. LAND: For what -- not out in the  
3 county, do they, if they have zoning?

4 MR. CORDONNIER: I think so. Yeah. I  
5 wouldn't see why they -- I mean, just because it's a  
6 Permitted Use doesn't mean you get to do it  
7 automatically with no oversight. The Planning  
8 Commission -- yeah, the Planning Commission, and,  
9 then, there's general criteria if you're expanding a  
10 building by more than 10 percent, a commercial  
11 building.

12 MS. LAND: Because they are commercial  
13 buildings?

14 MR. CORDONNIER: Yeah. And, then,  
15 residential, you know, subdivision, all plats go to  
16 Planning Commission.

17 MS. LAND: Right.

18 MR. CORDONNIER: And, then, the only time --  
19 you can do a change of use -- let's say it's a  
20 dentist's office, and it's going to be -- you can do a  
21 change of use if it's going to an attorney's office or  
22 the like.

23 But we do look to make sure do they have  
24 enough parking? Are they grandfathered? All those

1 different types of things. But, generally, a change  
2 of use without construction can occur with just the  
3 permit. Generally, any time there's new construction  
4 and it's commercial or multi-family, condominiums,  
5 those all have to go to the City Planning Commission.

6 MS. LAND: Not if they have zoning. It  
7 would have to go to county planning.

8 MR. CORDONNIER: Or -- yeah. I'm sorry.

9 MS. LAND: All right. I just want to make  
10 sure that we're on the same page here.

11 MR. CORDONNIER: Allen Township Planning  
12 Commission. Yes.

13 MS. LAND: To these guys.

14 MR. CORDONNIER: To these guys.

15 MS. LAND: Yeah. I don't think they do.  
16 I don't think that's the way rural has been working in  
17 any other place. Unless it's under a Conditional Use,  
18 they don't see it. They just get a permit.

19 MR. CORDONNIER: It all depends on how the  
20 code is written, would be my --

21 MS. LAND: That's what we are doing.

22 MR. CORDONNIER: I know.

23 MS. LAND: That's why we are having this  
24 discussion, as circular as it is.

1 MR. CORDONNIER: So, to me, it's baffling  
2 that you can say you can build a 700,000-square-foot  
3 Tesla giga factory and not get any review. That's  
4 what zoning is. So that's just new to me. In my  
5 20-some years, I've never -- Permitted Use doesn't  
6 mean you have unfettered access. It still gets  
7 reviewed.

8 CHAIRPERSON TIMMERMAN: Is that for all  
9 districts? Like, if somebody was going to put up a  
10 house?

11 MR. CORDONNIER: No.

12 CHAIRPERSON TIMMERMAN: So this is more for  
13 Business and Industrial stuff?

14 MR. CORDONNIER: So a house is approved  
15 through essentially the subdividing process.

16 MS. LAND: They are building one house on  
17 2 acres.

18 MR. CORDONNIER: You come and get a permit,  
19 but it doesn't go to Planning Commission.

20 MS. LAND: Right.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: The zoning inspector.

23 MR. CORDONNIER: You show a plan that says  
24 my house is going here. He checks the setbacks --

1 CHAIRPERSON TIMMERMAN: Okay.

2 MR. CORDONNIER: -- and, then, you know, and  
3 the curb cut would go to the county engineer. If  
4 you're on septic, it goes to the health department.  
5 The same things that occur now, only I can build my  
6 house 1 foot from the property line without zoning.

7 CHAIRPERSON TIMMERMAN: Right.

8 MR. CORDONNIER: With zoning, I might have  
9 to set it back 5 feet from the property line.

10 CHAIRPERSON TIMMERMAN: Yeah. You're  
11 talking more specifically towards Industrial in this  
12 case, or is it other districts as well, where they  
13 would --

14 MR. CORDONNIER: I was under the assumption  
15 that essentially everything we've been talking about,  
16 since -- not the residential.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MR. CORDONNIER: If you're building a  
19 subdivision plat, if you're platting a subdivision, it  
20 would have to go to the Township Planning Commission.  
21 But maybe that's -- the code can be written however  
22 you want, I mean, within reason. But Permitted Uses  
23 require no oversight.

24 MS. LAND: All the township zoning, the way

1 they've been written for years -- and I didn't write  
2 them, actually Regional Planning did back in the  
3 day -- if they are a Permitted Use, the zoning  
4 inspector makes the determination if it fits the  
5 criteria and they give the permits. If it goes under  
6 Conditional Uses, then it comes to a zoning --  
7 Planning Commission for them to determine.

8 MR. CORDONNIER: Okay.

9 MS. LAND: So we can add some language at  
10 the top side of all of the Business and Business  
11 Commercial Districts and the Industrial Districts,  
12 that there is some sort of need for a site plan  
13 review. There are site plan review options or  
14 requirements through here that they have to give. So  
15 maybe when we get to those, we can --

16 MR. CORDONNIER: So the Planning Commission  
17 reviews the site plan?

18 MS. LAND: Yeah.

19 MR. CORDONNIER: That's what I'm used to.

20 MS. LAND: Right. And there are -- when we  
21 get down through here farther into General Provisions,  
22 when we talk about site plans, then there are some  
23 requirements for site plan review.

24 MR. CORDONNIER: Whether it's Conditional or

1 Permitted, you still have to go through a site plan  
2 review. Okay.

3 MS. LAND: Yeah. Why don't we come back and  
4 revisit this once we get through there and see if  
5 we're both satisfied with doing what we're both  
6 saying.

7 MR. CORDONNIER: I think we're saying the  
8 same thing differently.

9 MS. LAND: Uh-huh. Yes. My husband and I  
10 do this all the time. Just so you know, I'm always  
11 right. I might have to make an exception for you,  
12 though.

13 MS. PARGEON: 1202.

14 CHAIRPERSON TIMMERMAN: Are we adding any  
15 more of the --

16 MS. LAND: Self-storage facilities?

17 CHAIRPERSON TIMMERMAN: Yeah.

18 MS. LAND: I don't think you need to add  
19 kennels in there, do you? Because they are something  
20 that's permitted in an Agricultural District, and  
21 everything that's allowed in agricultural is allowed  
22 in all these. Agricultural is allowed everywhere.

23 CHAIRPERSON TIMMERMAN: Right.

24 MS. LAND: Truck stops, we already have a

1 place for those in ES.

2 CHAIRPERSON TIMMERMAN: Right.

3 MS. LAND: You can put them in here, too, if  
4 you want.

5 CHAIRPERSON TIMMERMAN: I think ES is the  
6 perfect place for them.

7 MS. PARGEON: Yeah. Uh-huh.

8 MS. LAND: Okay. Major auto repair. You  
9 have that down here, when you get down into Special  
10 Conditions or Conditional Uses. So, for now, let's  
11 not add anything. If we think of something else, we  
12 can go back and pop them in.

13 CHAIRPERSON TIMMERMAN: Okay. Clara, you're  
14 back up.

15 MS. PARGEON: So we're going to go down to  
16 Section 1203 then?

17 MS. LAND: 1202.

18 MS. PARGEON: Principal Uses permitted  
19 subject to special conditions.

20 The following uses shall be permitted  
21 subject to the conditions hereinafter imposed on each  
22 use and subject further to the review and approval of  
23 the Zoning Commission.

24 MS. LAND: Anything you put in this list



1 comes to you guys before anybody can do it.

2 MS. PARGEON: Okay.

3 MS. LAND: There's no option for the zoning  
4 inspector to say "Okay."

5 MS. PARGEON: 1. Auto, engine, and body  
6 repair and undercoating shops when completely  
7 enclosed.

8 2. Lumber and planing mills when completely  
9 enclosed and when located in the interior of the  
10 district so that no property line shall form the  
11 exterior boundary of the I-1 District.

12 3. Metal plating, buffing, and polishing  
13 subject to appropriate measures to control the type of  
14 process to prevent noxious result and/or nuisances.

15 4. Commercial kennels.

16 5. Greenhouses.

17 6. Retail uses which have an industrial  
18 character in terms of either their outdoor storage  
19 requirements or activities, such as, but not limited  
20 to, lumberyards, building material outlets, outdoor  
21 boat or trailer sales, agricultural implement sales,  
22 or uses which serve the convenience needs of the  
23 Industrial District such as not limited to credit  
24 unions, branch banks, auto service stations, or

1 industrial clinics.

2 MS. LAND: What's an industrial clinic?

3 CHAIRPERSON TIMMERMAN: No idea.

4 MS. PARGEON: The combine is sick.

5 SECRETARY STACY: I don't know what --

6 MS. LAND: We can take that out. If we  
7 can't figure out how to define it, we really shouldn't  
8 leave it there.

9 MS. PARGEON: Right. So take out industrial  
10 clinic?

11 MS. LAND: Yeah. I don't understand why  
12 the -- we have the auto, engine, body repair,  
13 undercoating shops when completely enclosed. Why  
14 would that have to be a Conditional Use? Or is it for  
15 the storage of their equipment?

16 MS. PARGEON: Product.

17 MS. LAND: I'm not quite sure.

18 CHAIRPERSON TIMMERMAN: That's the only  
19 reason I can think of to have it conditional, just to  
20 see what their plan is for storing all the vehicles.

21 MS. PARGEON: And their materials.

22 CHAIRPERSON TIMMERMAN: Not that that's the  
23 only reason. I mean --

24 MS. LAND: Yeah. And the only way they

1 could be in Light Industrial is if all that work they  
2 are doing is inside, so that makes sense.

3 CHAIRPERSON TIMMERMAN: Right.

4 MS. LAND: All right.

5 MS. PARGEON: 7. Other uses or similar  
6 character to the above issues.

7 MS. LAND: There was something else we had  
8 talked about that we would want to put -- oh,  
9 contractor's offices with storage yards or equipment  
10 yards.

11 I don't know what we -- what you want to  
12 call them, but that was something that we thought we  
13 would move here. Where do you want to put it?

14 CHAIRPERSON TIMMERMAN: How about go back to  
15 Page 30, No. 4, which I don't know what your number  
16 is. In there, it says, contractor's equipment  
17 supplies.

18 MS. PARGEON: Yeah.

19 MS. LAND: What's the section?

20 CHAIRPERSON TIMMERMAN: Sorry. It falls  
21 under Permitted Uses.

22 SECRETARY STACY: 1201.

23 CHAIRPERSON TIMMERMAN: It's going to be  
24 right after J.

1 SECRETARY STACY: Yeah.

2 CHAIRPERSON TIMMERMAN: You deleted,  
3 "warehouses, storage." You deleted that one. Then  
4 the following one says, Storage facilities for  
5 building materials, sand, gravel, stone, lumber,  
6 storage of contractor's equipment and supplies.

7 Does that meet what you're thinking?

8 MS. LAND: I'm still not finding it.

9 MS. PARGEON: 1201, No. 4.

10 SECRETARY STACY: I think her --

11 CHAIRPERSON TIMMERMAN: Hers are renumbered.

12 MS. PARGEON: That's right. Your numbers  
13 are different.

14 CHAIRPERSON TIMMERMAN: Do you  
15 remember where we had --

16 MS. LAND: What's the first line?

17 CHAIRPERSON TIMMERMAN: Storage facilities  
18 for building materials.

19 Do you have where we have all the letters  
20 after No. 2?

21 SECRETARY STACY: We crossed out the  
22 paragraph right before it.

23 MS. PARGEON: We crossed out 3.

24 CHAIRPERSON TIMMERMAN: No. 1 has all the

1 letters with it and probably for you. Oh, I'm sorry.  
2 I misunderstood what you said there.

3 But with that gone, she deleted. So what's  
4 directly above is it the letters.

5 SECRETARY STACY: That's correct.

6 MS. LAND: The whole section of letters.

7 SECRETARY STACY: Yeah.

8 MS. LAND: Uh-huh.

9 CHAIRPERSON TIMMERMAN: The very next line.

10 SECRETARY STACY: D, I, A. We crossed  
11 out H.

12 MS. LAND: Right after J, I have, warehouse,  
13 storage, and transfer.

14 MS. PARGEON: We crossed that out.

15 MS. LAND: Then it's the next one?

16 SECRETARY STACY: The next one.

17 MS. PARGEON: No. 4. Storage facilities and  
18 building materials.

19 MS. LAND: We left it. We left it.

20 CHAIRPERSON TIMMERMAN: We did.

21 SECRETARY STACY: Yeah.

22 MS. LAND: You guys, I'm sorry. I'm tired.  
23 Okay. Got it.

24 CHAIRPERSON TIMMERMAN: Does that --

1 MS. LAND: Yeah, it probably would, because  
2 that would fall into that category of what we were  
3 just talking about, if they have an office with it, or  
4 a retail section. The big issue is if they are  
5 storing stuff, right?

6 CHAIRPERSON TIMMERMAN: Uh-huh.

7 MS. LAND: Did we put in anywhere else that  
8 they could just have their offices? Like, if they  
9 have a -- where you go in and look at cupboard doors  
10 and drawer pulls, that kind of place.

11 CHAIRPERSON TIMMERMAN: I don't think we did  
12 at this point.

13 MS. LAND: Okay. You might want to look  
14 through there and see if you guys pop, you know, when  
15 they are re-perusing through what we've been doing,  
16 see if you can find a spot where you think it should  
17 go.

18 SECRETARY STACY: B-2, B-3 something?

19 CHAIRPERSON TIMMERMAN: Probably, if you  
20 want to move it to a Business District.

21 MS. LAND: I think we might have talked  
22 about it in B-3. Remember?

23 CHAIRPERSON TIMMERMAN: We discussed it, but  
24 then --

1 MS. LAND: I don't remember what we did.

2 CHAIRPERSON TIMMERMAN: -- kind of left it  
3 to go to Industrial.

4 MS. LAND: In B-3, it says, auto wash, bus  
5 station, car sales, motels, contractor offices with  
6 storage yards.

7 CHAIRPERSON TIMMERMAN: We did leave it in  
8 there.

9 MS. LAND: I have a note, Do we want to move  
10 this to I-1? Do you want to move that to I-1 and  
11 leave contractor's offices without storage yards in  
12 B-3?

13 SECRETARY STACY: Yeah.

14 CHAIRPERSON TIMMERMAN: That's fine.

15 MS. PARGEON: Yeah.

16 MS. LAND: I'll go back down here to  
17 Industrial. Do you want to put it in Permitted or in  
18 Conditional Use?

19 I think Conditional Use sounds probably good  
20 so you can get a good idea of what kind of stuff  
21 they're going to be storing, how much equipment is  
22 going to be rolling in and out, and what kind of  
23 traffic they're expecting.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. LAND: Make sense to everybody?

2 SECRETARY STACY: Uh-huh.

3 CHAIRPERSON TIMMERMAN: Sure.

4 From Conditional Uses, No. 3 says, Metal  
5 plating, buffing, polishing. Is that where that  
6 belongs? Is this an I-1 thing, or is metal plating  
7 somehow a chemical thing that goes -- does that  
8 somehow go to I-2?

9 SECRETARY STACY: Metal plating --

10 MS. PARGEON: Yeah. That would have  
11 chemicals.

12 SECRETARY STACY: -- it's toxic chemicals.

13 CHAIRPERSON TIMMERMAN: Yeah.

14 MS. LAND: As we are well aware.

15 MR. CORDONNIER: Cleaning up a lot of them.  
16 But those are from the days when they just let it go  
17 into the river.

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. PARGEON: They all got it downstream.  
20 Poor people.

21 CHAIRPERSON TIMMERMAN: Is that typically  
22 still an I-1 type of business then?

23 MR. CORDONNIER: I mean, in this day and  
24 age -- I mean, in this day and age, you know, there's



1 a lot of processes occurring in a Light Industrial  
2 building that are probably pretty intense, but there's  
3 also oversight by the EPA and a lot of other people.  
4 You know, your zoning is not going to be the oversight  
5 of chemical discharge and all of that type of stuff.  
6 So, you know, 50 years ago, you know, to me, metal  
7 plating inside is the same as --

8 CHAIRPERSON TIMMERMAN: Okay.

9 MR. CORDONNIER: -- you know, there's  
10 just -- we have the body shops with the paint --

11 CHAIRPERSON TIMMERMAN: Sure.

12 MR. CORDONNIER: -- the paint booths and  
13 everything. They gave us all the information that  
14 they had to submit to the EPA and it was rather --  
15 they had the cleansers and different things they had  
16 to put on. So, in this day and age, there's a lot  
17 more oversight outside of, you know, whether you have  
18 zoning or not.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. CORDONNIER: There's oversight on those  
21 types of things. So, to me, I'm fine with metal  
22 plating just being part of just the regular.

23 CHAIRPERSON TIMMERMAN: Okay. All  
24 right. Any other thoughts on I-1 before we go to Area

1 and Bulk?

2 VICE CHAIRPERSON REHUS: I'm good.

3 MS. LAND: Page 34 didn't translate well  
4 when I -- I don't have it on my copy. It's 40, 40,  
5 and 40. Maximum height is 40 feet, front, side, and  
6 back yard -- front side yards are 40 and the backyard  
7 is --

8 CHAIRPERSON TIMMERMAN: It's blank on mine.

9 MS. LAND: What?

10 CHAIRPERSON TIMMERMAN: It's blank. It just  
11 has O and P.

12 MS. LAND: Yeah. We have to look and see  
13 what those are in the -- O is, No building shall be  
14 located closer than 50 feet or the height of the  
15 building, whichever is greater, to the outer perimeter  
16 property line of the district when said property line  
17 abuts any Residential District.

18 And P is, All storage shall be in the rear  
19 yard and shall be completely screened with an  
20 obscuring wall or greenbelt planting so as to obscure  
21 all view from any adjacent residential, office, or  
22 Business District or from a public street.

23 So there's really no setback -- minimum  
24 backyard setback that you guys have on here, just that

1 they have to be 50 feet from the outer perimeter line  
2 if they are next to residential. Anything they store  
3 has to be in the back and enclosed.

4 Do you want to give them a minimum number?

5 CHAIRPERSON TIMMERMAN: I guess I don't know  
6 what's normal out of Industrial.

7 MR. CORDONNIER: Findlay has 50 front yard,  
8 side yard 30, 75 if adjacent to a residential use or  
9 zone. Rear yard is 30, or 75 if adjacent to a  
10 residential use or zoning district.

11 CHAIRPERSON TIMMERMAN: I think it makes  
12 sense that there should be a minimum rear setback.

13 MS. LAND: Want to make it a 40, 40, 40?

14 CHAIRPERSON TIMMERMAN: I think that makes  
15 as much sense to me.

16 MS. LAND: We have O and P still there.

17 And, then, when we get to that list, you can  
18 decide if 50 feet is enough, or if you want to make  
19 sure that it's more than that.

20 CHAIRPERSON TIMMERMAN: When we start  
21 reading through these, you're saying?

22 MS. LAND: Yeah. Uh-huh.

23 CHAIRPERSON TIMMERMAN: Okay. Want to keep  
24 reading, Clara?

1 MS. PARGEON: No. I'll let you do it.

2 CHAIRPERSON TIMMERMAN: All right.

3 MS. PARGEON: Where are we at?

4 CHAIRPERSON TIMMERMAN: We're at -- what is  
5 that? 13, I-2 General Industrial Districts.

6 1300. Intent: The I-2 General Industrial  
7 Districts have been designed primarily for  
8 manufacturing, assembling, and fabrication activities,  
9 including large-scale or specialized industrial  
10 operations whose external physical effects will be  
11 felt to some degree by surrounding districts.

12 The I-2 District is so structured as to  
13 permit the manufacturing, processing, and compounding  
14 of semi-finished or finished products from raw  
15 materials, as well as from previously prepared  
16 materials.

17 1301. Principal Uses Permitted, or  
18 Permitted Uses.

19 MS. PARGEON: I don't have the page. 1301.

20 VICE CHAIRPERSON REHUS: 32.

21 CHAIRPERSON TIMMERMAN: You don't see it on  
22 yours?

23 1301. Permitted Uses. In a General  
24 Industrial District, no building or land shall be used

1 and no building shall be erected except for one or  
2 more of the following specified uses, unless otherwise  
3 provided in this Resolution:

4 1. Any principal use first permitted in the  
5 I-1 District.

6 MS. LAND: Does it say I-1 or A-1?

7 CHAIRPERSON TIMMERMAN: Mine says I-1.

8 VICE CHAIRPERSON REHUS: I-1.

9 MS. LAND: I thought A-1 sounded odd.

10 That's what --

11 SECRETARY STACY: Makes a difference.

12 MS. LAND: -- mine translated it to.

13 CHAIRPERSON TIMMERMAN: 2. Heating and  
14 electric power-generating plants.

15 3. Any of the following production or  
16 manufacturing uses:

17 A. Junkyard, provided such are entirely  
18 enclosed within a building or within an 8-foot  
19 obscuring screen.

20 B. Incineration of garbage or refuse when  
21 conducted within an approved and enclosed incinerator  
22 plant.

23 C. Blast furnace, steel furnace, blooming  
24 or rolling mill.

1 D. Manufacture of corrosive acid or  
2 alkalide, cement, concrete, lime, gypsum, or plaster  
3 of Paris.

4 E. Petroleum or other inflammable liquids,  
5 production, refining, or storage.

6 F. Smelting of copper, iron, or zinc ore.

7 G. Limestone quarry operations.

8 SECRETARY STACY: So with the limestone  
9 quarry operations, you would anticipate blasting,  
10 correct?

11 MS. LAND: Uh-huh.

12 SECRETARY STACY: Okay.

13 MS. LAND: What about borrow pits? Do you  
14 want to put them in here in the list of things that --

15 CHAIRPERSON TIMMERMAN: What is a borrow pit  
16 again?

17 MS. LAND: It's where they dig out the dirt  
18 and remove it for use somewhere else. Like, for the  
19 landfill, they have borrow pits. They dig the dirt  
20 out to use for cover. They are not the same as ponds  
21 because they aren't constructed to hold water.  
22 Generally they don't want them holding water because  
23 they use them for a number of years, basically mining  
24 the dirt out of them, and the clay. Sometimes they --

1 the one in Washington Township is proposed to be  
2 6 acres and 30 feet deep, which is scary?

3 CHAIRPERSON TIMMERMAN: Is this exclusively  
4 used for --

5 MS. LAND: Landfills.

6 CHAIRPERSON TIMMERMAN: -- landfills?

7 MS. LAND: No. They use them for other  
8 things. If they need to build up property. Sometimes  
9 ponds that are around new houses are actually --  
10 technically were borrow pits that they've turned into  
11 a pond because they needed to raise the elevation of  
12 the house to be able to build it.

13 SECRETARY STACY: Right.

14 MS. LAND: That kind of thing. So, yeah,  
15 they have them around. But a commercial borrow pit is  
16 different than one that you're using to build your  
17 house, than a construction borrow pit.

18 CHAIRPERSON TIMMERMAN: Is it something that  
19 we're required to allow?

20 MS. LAND: No.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: But if somebody asks for one and  
23 you don't have it in here, then, you have to figure  
24 out where it would be.

1 CHAIRPERSON TIMMERMAN: Right.

2 MS. LAND: Yeah. And it doesn't mean you  
3 have to let them have it, but you have to look at the  
4 section where it would be.

5 MR. CORDONNIER: It's common at the  
6 large-scale interchanges, especially in northwest  
7 Ohio, in order to get the elevation. There's always a  
8 couple of ponds really close nearby.

9 SECRETARY STACY: Correct.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MR. CORDONNIER: I think the issue in  
12 Washington Township is the eight years that they are  
13 proposing to extract the dirt.

14 MS. LAND: And it's not a pond; it's a  
15 borrow pit.

16 MR. CORDONNIER: Yeah.

17 MS. PARGEON: Correct. You're borrowing the  
18 dirt and not bringing it back.

19 MR. CORDONNIER: If it was one year, that  
20 would be in my mind.

21 MS. LAND: Not if it was 30 feet deep. It's  
22 a borrow pit. It's not a pond.

23 We got sued today. I'm not going to change  
24 my opinion on that.



1 MR. CORDONNIER: I got the documents.  
2 I've handed them to Jacob.

3 MS. LAND: I handed mine off to Regal. I'm  
4 busy with other stuff at the moment.

5 CHAIRPERSON TIMMERMAN: So just because it's  
6 in here doesn't mean we have to approve it?

7 MS. LAND: It depends on if you put it in a  
8 Permitted Use, then, yeah, you would.

9 CHAIRPERSON TIMMERMAN: Okay. But there's  
10 not a Conditional Use section in this at this point.

11 MS. LAND: No. I don't understand. Can I  
12 see that hard copy? I think something must have  
13 translated really poorly.

14 There's a section in here that says, The  
15 trustees may impose any required setback and/or  
16 performance standards so as to ensure public health,  
17 safety, and general welfare.

18 The trustees really don't have any -- they  
19 enact this legislation. After that, they can't change  
20 it. It can be changed by you guys as some sort of  
21 Variance. And it can be changed by the BZA as an  
22 appeal of something that you guys did. But the  
23 trustees having that power put in here is not  
24 appropriate.

1 MR. CORDONNIER: So just let me fast-forward  
2 two years. It's adopted. Allen Township adopts a  
3 zoning code, and, then, they want to make amendments  
4 to it. We need to change -- make changes to these  
5 four sections.

6 MS. LAND: Then it goes through the same  
7 process it goes through for initial enacting, with a  
8 hearing of the proposed change with the Zoning  
9 Commission. They make a recommendation. They also  
10 send it to Regional Planning and they get a  
11 recommendation there. And, then, they make a -- the  
12 Zoning Commission makes a recommendation to the  
13 trustees who alter the legislation.

14 But on a regular functional basis, the  
15 trustees don't have any place in this process. And  
16 there are two sections in here: Any other use which  
17 shall be determined by the township trustees after  
18 recommendation from the Zoning Commission. That  
19 shouldn't be in there.

20 And, then, the other one about the trustees  
21 may impose required setbacks. That also is not  
22 something that they have the power to do in this kind  
23 of legislation. Once they enact the legislation, it's  
24 for you guys to interpret and apply. If they want to

1 impose different things, they have to go through an  
2 amending process, having hearings for people to chime  
3 in on it.

4 CHAIRPERSON TIMMERMAN: That's all No. 4.  
5 You're saying get rid of it?

6 MS. LAND: I think both of the last two  
7 sections there. One says Section 1301.

8 CHAIRPERSON TIMMERMAN: I think that's part  
9 of No. 4.

10 MS. LAND: Oh, it is.

11 CHAIRPERSON TIMMERMAN: To me, it is.

12 MS. LAND: Mine's separated. Yeah. Let's  
13 strike that.

14 CHAIRPERSON TIMMERMAN: Okay. There is also  
15 a number 5 that says, Accessory buildings and uses  
16 custom and incident to any of the above Permitted  
17 Uses. That's standard.

18 So are we going to do a Conditional Use for  
19 borrow pit?

20 MS. LAND: I wouldn't.

21 CHAIRPERSON TIMMERMAN: You wouldn't?

22 MS. LAND: No. Let's not make Conditional  
23 Uses here if there aren't.

24 CHAIRPERSON TIMMERMAN: Are you going to add

1 to the list of Permitted Uses?

2 MS. LAND: There are a lot of things that  
3 you're never going to be able to list.

4 CHAIRPERSON TIMMERMAN: Right.

5 SECRETARY STACY: Right.

6 MS. LAND: How about we address the borrow  
7 pit issue when we get to the Pond Section and identify  
8 that a borrow pit is different than a pond.

9 MS. PARGEON: That makes sense.

10 MS. LAND: That's been our general problem  
11 that there are -- you know, a puddle's a puddle, so a  
12 pond's a pond, and that's just not necessarily true.

13 MS. PARGEON: Right.

14 CHAIRPERSON TIMMERMAN: Okay. Then 1301,  
15 Area and Bulk Requirements. See Article XIV.

16 MS. LAND: Yeah. In here, they have 60 foot  
17 in height. 60-foot front yard, 40-foot side yard, and  
18 the same thing with just O and P for the backyards.

19 CHAIRPERSON TIMMERMAN: I would say add  
20 40 feet to that as well. That would be my vote.

21 MS. LAND: You like the 60? 60 front yard,  
22 60 height. How many stories is 60? Well, some of  
23 these industrial things they need to have a height,  
24 though.

1 CHAIRPERSON TIMMERMAN: Yeah.

2 SECRETARY STACY: Right. Right.

3 In the multi-family, we have 30 for the  
4 maximum height, and I have written two or three story.

5 MS. LAND: In local business, we have 30.  
6 And it says, No more than two stories we wanted to add  
7 in there.

8 CHAIRPERSON TIMMERMAN: Yeah. I think  
9 probably two, though. What you said, where it's not a  
10 story thing at that point. It's the --

11 MS. LAND: It's the entire --

12 CHAIRPERSON TIMMERMAN: -- ability to do  
13 whatever they need to do.

14 MS. LAND: And is 60 enough? Is 40 enough  
15 in the other?

16 SECRETARY STACY: For Light?

17 MS. LAND: Yeah. I can't picture 40 feet,  
18 but it's, like, three stories, right? Three and a  
19 half.

20 CHAIRPERSON TIMMERMAN: Probably three and a  
21 half.

22 MS. LAND: That's pretty tall.

23 MR. CORDONNIER: Findlay's height standards  
24 for I-1 and I-2 are 60 feet for both of them.

1 MS. LAND: For both?

2 MR. CORDONNIER: Yeah. I'm double checking  
3 on I-2. We deal with I-2 so infrequently that I don't  
4 know off the top of my head.

5 CHAIRPERSON TIMMERMAN: How tall is a  
6 building like Ball Metal or Whirlpool?

7 MR. CORDONNIER: 60 feet. McLane was the  
8 only one that needed a Variance for height, because  
9 they have that really cool automated robot track  
10 system, and I think theirs is 100. So I think  
11 McLane -- this off the top of my head. I believe  
12 McLane is 100 feet tall.

13 CHAIRPERSON TIMMERMAN: But outside of that,  
14 60 feet seems --

15 MR. CORDONNIER: 60 feet. I can't really  
16 think of any Variances needed for manufacturing  
17 buildings.

18 MS. LAND: I have notes here that we have,  
19 in Local Business, 30 feet, not more than two stories.  
20 In Expressway Service, we have 50 feet, not more than  
21 four stories. So 60 feet is, you know,  
22 four-and-a-half stories. That's pretty tall. So you  
23 want to make 60 in both Industrial areas?

24 CHAIRPERSON TIMMERMAN: I think probably.

1 MR. CORDONNIER: I'm going to find I-2 real  
2 quick. You're talking about outdoor conveyor belts.  
3 It could be -- I just want to see what they have. I'm  
4 just a little curious.

5 SECRETARY STACY: Okay.

6 MS. LAND: Technology has changed a lot  
7 since they set up these numbers. They could be  
8 completely skewed now.

9 CHAIRPERSON TIMMERMAN: Right. You know,  
10 the 60 feet for I-1, is that what I'm hearing out of  
11 you, Matt?

12 MR. CORDONNIER: Both I-1 and I-2 are  
13 60 feet.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MR. CORDONNIER: Actually, yeah. Because  
16 Cooper just came for a Variance because they put up,  
17 like, a 100-foot -- like an 80- or 90-foot addition to  
18 one of the buildings.

19 SECRETARY STACY: Do you want to make both  
20 of those 60?

21 MR. CORDONNIER: I think it makes sense.

22 SECRETARY STACY: I think we can do that.

23 MS. LAND: If you make them 60, that should  
24 capture most everything.

1 SECRETARY STACY: Sure.

2 MS. LAND: If somebody has something like  
3 the McLane or Cooper kind of thing, they can come for  
4 a -- it's an Area Variance then; it's not a Use  
5 Variance because the size or shape of what they want  
6 doesn't work for what they need to do in your rules.  
7 I'm not as worried about Area Variances, as long as --  
8 because you have a list of things to look at to see if  
9 they're going to impact the neighbors or cause a  
10 problem. Use Variances, though, are just like saying,  
11 Oh, the rules don't apply. Do what you want. That's  
12 bad.

13 SECRETARY STACY: Right.

14 MS. LAND: Because then you end up with all  
15 kind of precedents that make it really hard to keep  
16 track of who you're being fair to, who you're not.  
17 You want to always be fair to everybody and treat  
18 everybody based on what they can see and know what to  
19 expect.

20 SECRETARY STACY: Right.

21 MS. LAND: Do we want to move on to those  
22 lists, Section 1401?

23 CHAIRPERSON TIMMERMAN: I suppose.

24 MS. LAND: Can we take a break for a second?



1 SECRETARY STACY: Sure.

2 MR. CORDONNIER: I have a baseball child  
3 that I have to pick up. These are just -- I did it  
4 pretty quickly today, but examples of buildings and  
5 what their square footage is for reference. Just keep  
6 updating this. I just added labels for all of the  
7 nonresidential.

8 CHAIRPERSON TIMMERMAN: Yeah.

9 SECRETARY STACY: That helps.

10 MR. CORDONNIER: To help give people a --

11 SECRETARY STACY: Okay.

12 CHAIRPERSON TIMMERMAN: Thank you.

13 MR. CORDONNIER: Yeah.

14 (Recess taken.)

15 (Mr. Cordonnier left the proceedings.)

16 SECRETARY STACY: I'm starting a folder for  
17 Dave.

18 CHAIRPERSON TIMMERMAN: I think the 10,000  
19 square feet that we mentioned before covered most  
20 things.

21 MS. LAND: It should limit very many people  
22 because there's some what I consider pretty big  
23 business buildings that are less than 10,000 feet.

24 CHAIRPERSON TIMMERMAN: Right. Kroger goes

1 up to 62,000.

2 SECRETARY STACY: Yeah.

3 CHAIRPERSON TIMMERMAN: All right. Notes  
4 to -- 1401, Notes to Schedule of Regulations:

5 A. See Section 1602 regarding exceptions to  
6 height limitations for farm buildings.

7 MS. LAND: We'll get back to that.

8 CHAIRPERSON TIMMERMAN: Don't worry about  
9 that for now?

10 MS. LAND: It will come up in a little  
11 while. We'll deal with it. I marked it in blue, so  
12 we know we're still working at it.

13 CHAIRPERSON TIMMERMAN: B. For  
14 non-conforming lots of record existing prior to the  
15 effective date of this Resolution, lots having a  
16 frontage of 100 feet, or greater, shall comply with  
17 yard setback requirements of the R-1, One-Family  
18 Residential District, and lots having a frontage of  
19 less than 100 feet shall comply with yard setback  
20 requirements of the R-2 One-Family Residential  
21 District.

22 We only have an R-1 now, so I don't think  
23 this is necessary. Or you modify to say that they --  
24 I don't know.

1 MS. LAND: We should take out where it  
2 starts with "...and lots having a frontage of less  
3 than 100 feet."

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: Just take that out. Strike it.  
6 Unless you want to -- no, I would just strike it  
7 because you changed your frontage amount from 250 --

8 CHAIRPERSON TIMMERMAN: Down to 200.

9 MS. LAND: -- 200. Yeah. So I don't  
10 think -- I think just striking that is probably the  
11 thing that makes the most sense.

12 CHAIRPERSON TIMMERMAN: Striking --

13 MS. LAND: The last part, "...lots having a  
14 frontage of less than 100 feet," to the end of the  
15 paragraph.

16 CHAIRPERSON TIMMERMAN: C. In an instance  
17 where public sanitary sewers and water systems are not  
18 provided, lots shall be at least 2 acres in area and  
19 at least 250 feet in width, which we're changing to  
20 200.

21 MS. LAND: Right.

22 CHAIRPERSON TIMMERMAN: D. Says, See  
23 Section 1402, Planned Unit Development.

24 MS. LAND: We'll just worry about that one

1 later.

2 CHAIRPERSON TIMMERMAN: E. For all uses  
3 permitted other than Single-Family Residential, the  
4 setback shall equal the height of the main building or  
5 the setback requirements required in Section 602 or  
6 1400, whichever is greater.

7 MS. LAND: 1400 is the table.

8 CHAIRPERSON TIMMERMAN: 1400 is the table.

9 MS. LAND: PUD is Planned Unit Development.

10 CHAIRPERSON TIMMERMAN: 14 is this table.

11 MS. LAND: Right. Right. 1402 is Planned  
12 Unit Developments. That doesn't make sense, does it?

13 CHAIRPERSON TIMMERMAN: It says 1400 on  
14 mine.

15 MS. LAND: I know. But up here it says, See  
16 Section 1402, Planned Unit Development.

17 CHAIRPERSON TIMMERMAN: Yeah.

18 MS. LAND: Why would they put that in under  
19 the tables?

20 CHAIRPERSON TIMMERMAN: When I just read it  
21 she said we'll talk about that later.

22 SECRETARY STACY: Right.

23 MS. LAND: We'll get to it. It's coming up  
24 next.

1 SECRETARY STACY: Okay.

2 CHAIRPERSON TIMMERMAN: So 602 was the  
3 Conditional Uses for the R-1 District. So just leave  
4 that as is then?

5 MS. LAND: Yeah, I think. I'm not sure  
6 where it applies, but it has to do with -- there are  
7 notes that go along with the R-1 District on the  
8 table.

9 CHAIRPERSON TIMMERMAN: Yeah.

10 MS. LAND: I imagine they're set that way so  
11 that if there is some sort of Variance for size or  
12 height, other than what you have here, your limits in  
13 here, then it extends the setbacks.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: It will automatically do that  
16 without you guys having to.

17 CHAIRPERSON TIMMERMAN: In the case of a  
18 rear yard abutting a side yard, the side yard setback  
19 abutting a street shall not be less than the minimum  
20 front yard setback of the district in which the  
21 property is located and all regulations applicable to  
22 a front yard shall apply.

23 So that's just for R-1 is the only place I'm  
24 seeing that called out.

1 MS. LAND: You have two front yards.

2 CHAIRPERSON TIMMERMAN: Yeah. Right. Yeah.

3 MS. LAND: I live on a corner lot.

4 CHAIRPERSON TIMMERMAN: G. In an RM-1,  
5 Multi-Family Residential District, the total number of  
6 rooms of 80 square feet or more, not including  
7 kitchen, dining, and sanitary facilities, shall not be  
8 more than the area of the parcel in square feet  
9 divided by 1,500. All units shall have at least one  
10 living room and one bedroom, except that not more than  
11 10 percent of the units may be efficiency apartment  
12 types.

13 For the purpose of computing the permitted  
14 number of dwelling units, the following room  
15 assignments shall control:

16 Efficiency equals one room. One-bedroom  
17 equals two rooms Two-bedroom equals three rooms.  
18 Three-bedrooms equals five rooms. Four-bedroom equals  
19 seven rooms.

20 Plans presented showing one-, two-, three-,  
21 or four-bedroom units as including a den, library, or  
22 other such room, shall count such other room as a  
23 bedroom for the purpose of computing density.

24 In an RM-1 District, the area used for

1 computing density shall be the total site area  
2 exclusive of any dedicated public right-of-way of  
3 either interior or bounding roads.

4 SECRETARY STACY: Is that just standard  
5 language?

6 CHAIRPERSON TIMMERMAN: It's --

7 MS. LAND: No idea.

8 CHAIRPERSON TIMMERMAN: It's standard to  
9 Washington.

10 MS. LAND: Yeah. Almost everyone has it.

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: And all of these were developed  
13 by Regional Planning. They are based on some sort of  
14 planning principles. I don't know if it's a still an  
15 existing planning principle or if they are archaic.  
16 We'll have to ask Matt about them next time.

17 MS. PARGEON: Yeah. You wonder.

18 MS. LAND: I think the zoning inspector,  
19 you're going to have to get somebody who does math  
20 really well.

21 CHAIRPERSON TIMMERMAN: All right.

22 H. In no instance shall the distance  
23 between buildings be less than 30 feet. Off-street  
24 parking shall be permitted in a required side or rear

1 yard setback.

2 MS. LAND: H is where we get into  
3 multi-family. It applies in Multi-Family Districts.

4 CHAIRPERSON TIMMERMAN: I. Off-street  
5 parking shall be permitted to occupy a portion of the  
6 required front yard -- I'm sorry. I'm going to read  
7 that again.

8 Off-street parking shall be permitted to  
9 occupy a portion of the required front yard, provided  
10 that there shall be maintained a minimum unobstructed  
11 and landscaped setback of 10 feet between the nearest  
12 point of the parking area, exclusive of access  
13 driveways, and the nearest right-of-way line as  
14 indicated on the Comprehensive Land Use Plan.

15 Is that going to go back to point of road,  
16 rather than right-of-way?

17 MS. LAND: No.

18 CHAIRPERSON TIMMERMAN: No.

19 MS. LAND: The nearest right-of-way line.  
20 Because the road, it may not be -- the road may not be  
21 the right-of-way line.

22 This is the kind of thing you'd see, like,  
23 when you go to any of the restaurants and stuff where  
24 you park in front, and, then, there's a green space



1 before you get to the curb. That's what they're  
2 saying here. It's part of the required setback where  
3 the building is. You can park in it, but you still  
4 have to have to that 10-foot strip.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: I think it's pretty standard for  
7 most everywhere.

8 CHAIRPERSON TIMMERMAN: J. No side yards  
9 are required along interior side lot lines of the  
10 district, except as otherwise specified in the  
11 building code, provided that if walls of structures  
12 facing such interior side lot lines contain windows or  
13 other openings, side yards of not less than 10 feet  
14 shall be provided.

15 Off-street parking shall be permitted within  
16 a required side yard, except that on corner lots there  
17 shall be maintained a minimum unobstructed and  
18 landscaped setback of 10 feet between the nearest  
19 point of the parking area and the street right-of-way  
20 line.

21 MS. LAND: There is no building code in  
22 Hancock County. There's the State Building Code is  
23 what we follow. Bowling Green is under contract with  
24 the County to be our building inspectors. So "except

1 as otherwise specified in the building code" is a  
2 weird thing to put in there.

3 Maybe we should say, "in any applicable  
4 building code." That way, if the County ever ends up  
5 with their own code, you're okay. Just as an aside,  
6 that's not going to happen during my tenure.

7 MS. PARGEON: How do you spell "applicable"?

8 MS. LAND: Is that for J?

9 CHAIRPERSON TIMMERMAN: Yes.

10 MS. LAND: It's A-P-P-L-I-C-A-B-L-E.

11 MS. PARGEON: Okay.

12 CHAIRPERSON TIMMERMAN: There was a last  
13 little bit to J I didn't finish reading.

14 On a corner lot which has a common lot line  
15 with a Residential District, there shall be provided a  
16 setback of 20 feet on the side or residential street.

17 UNKNOWN SPEAKER: I can't stay. I just  
18 wanted to drop this off. We talked the other day.

19 CHAIRPERSON TIMMERMAN: Okay. Thank you.

20 UNKNOWN SPEAKER: Thank you.

21 CHAIRPERSON TIMMERMAN: Okay. M. Are we  
22 good?

23 MS. LAND: Yeah.

24 CHAIRPERSON TIMMERMAN: Off-street parking

1 for visitors over and above the number of spaces  
2 required under Section 1904.

3 MS. LAND: What are we on?

4 MS. PARGEON: Got to go back up to K.

5 CHAIRPERSON TIMMERMAN: Oh, I skipped a  
6 couple, didn't I?

7 SECRETARY STACY: You did. Like, what?

8 CHAIRPERSON TIMMERMAN: I was trying to move  
9 fast. Sorry.

10 SECRETARY STACY: You were.

11 CHAIRPERSON TIMMERMAN: K. Loading spaces  
12 shall be provided in the rear yard in the ratio of at  
13 least 10 square feet per front foot of building and  
14 shall be computed separately from the off-street  
15 parking requirements. Where an alley exists or is  
16 provided at the rear of the building, the rear  
17 building setback and building requirements may be  
18 computed from the center of said alley.

19 SECRETARY STACY: Standard language.

20 CHAIRPERSON TIMMERMAN: L. The Zoning  
21 Commission may permit structures higher than the  
22 maximum height standards, provided that all yard  
23 setbacks are increased to equal the height of the  
24 proposed structures.

1 MS. LAND: That's in the Expressway Service  
2 Section.

3 CHAIRPERSON TIMMERMAN: Yeah. All right.  
4 Now I can read M. Off-street parking for  
5 visitors over and above the number of spaces required  
6 under Section 1904 may be permitted in the required  
7 front yard, provided that such off-street parking is  
8 not located within 20 feet of the front lot line.

9 MS. LAND: 1904 will be the section about  
10 how wide parking spaces have to be, how many you have  
11 to have for your occupancy, et cetera.

12 CHAIRPERSON TIMMERMAN: N. Off-street  
13 parking shall be permitted in a required side yard  
14 setback along interior side lot lines of the district.  
15 Side yards shall be equal to at least the height of  
16 the average of the various heights of the industrial  
17 masses, excluding towers, chimney stacks, and the  
18 like, immediately abutting upon and adjacent to such  
19 side yard.

20 That's just the two Industrial Districts'  
21 side yards.

22 MS. LAND: Didn't we put the amount of the  
23 distance? Why do we have this formula in here when we  
24 already have -- at least the height of the average of

1 the various heights of the industrial masses?

2 This section worked for I-1 until we change  
3 it to 60. It never worked for I-2. We're talking  
4 about side lot lines, right? Required side yard  
5 setback.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. LAND: We have a 40-foot setback on each  
8 of these. If we allow a 60-foot building, then they  
9 would have to have a 60-foot setback, according to  
10 this, right?

11 CHAIRPERSON TIMMERMAN: Agreed.

12 SECRETARY STACY: Uh-huh.

13 CHAIRPERSON TIMMERMAN: Unless you didn't  
14 use the full 60 feet. Am I wrong in that? If you  
15 only put up a 40-foot --

16 MS. LAND: You wouldn't have to have a  
17 60-foot.

18 CHAIRPERSON TIMMERMAN: You wouldn't be  
19 required the 60 foot.

20 MS. LAND: But why do we put down that  
21 40 foot is required -- or is allowed? I guess if they  
22 put up a one-story building, we want them to have at  
23 least 40.

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: Okay.

2 CHAIRPERSON TIMMERMAN: So it's for setbacks  
3 less than the 60 foot.

4 MS. LAND: Does that make sense to you guys?

5 MS. PARGEON: Uh-huh.

6 MS. LAND: Okay.

7 CHAIRPERSON TIMMERMAN: 0. No building  
8 shall be located closer than 50 feet, or the height of  
9 the building, whichever is the greater, to the outer  
10 perimeter property line of the district when said  
11 property line abuts any Residential District.

12 MS. LAND: This is an exception to that rear  
13 lot line for Industrial Districts.

14 CHAIRPERSON TIMMERMAN: This is saying 75.

15 MS. LAND: Right. This is where you want to  
16 decide if you want to leave it at 50 or change it to  
17 75.

18 CHAIRPERSON TIMMERMAN: I think this is an  
19 opportunity to protect the --

20 MS. LAND: Residents.

21 SECRETARY STACY: I do too, easily.

22 CHAIRPERSON TIMMERMAN: Yeah.

23 SECRETARY STACY: To protect residential.

24 CHAIRPERSON TIMMERMAN: 75.

1 SECRETARY STACY: That works for me.

2 MS. PARGEON: Uh-huh.

3 CHAIRPERSON TIMMERMAN: Are you good, Cindy?

4 MS. LAND: No, I'm still typing.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: Now I'm good.

7 CHAIRPERSON TIMMERMAN: All right.

8 P. All storage shall be in the rear yard  
9 and be completely screened with an obscuring wall or  
10 greenbelt plantings so as to obscure all view from any  
11 adjacent Residential, Office, or Business District or  
12 from a public street.

13 MS. LAND: Those are the caveats to the  
14 backyards for Industrial as well.

15 CHAIRPERSON TIMMERMAN: Yeah.

16 MS. LAND: Okay. I would like to not do  
17 Planned Unit Development until Matt is here to explain  
18 it.

19 CHAIRPERSON TIMMERMAN: Sure.

20 SECRETARY STACY: Okay.

21 MS. LAND: Because it's a special thing  
22 that's a little bit not my expertise. So I don't want  
23 to tell you something that's not right.

24 CHAIRPERSON TIMMERMAN: So this is a great

1 place to stop.

2 MS. LAND: That is pretty much our stopping  
3 point. We only have five minutes left.

4 CHAIRPERSON TIMMERMAN: Man, how exciting.  
5 Jereme said at the start we weren't allowed  
6 to go to three hours, so an hour and 55 minutes.  
7 You're welcome, pal.

8 MR. KENT: Appreciate it.

9 CHAIRPERSON TIMMERMAN: Open the floor or  
10 questions? Comments? Thoughts? Everybody good?

11 VICE CHAIRPERSON REHUS: Good.

12 CHAIRPERSON TIMMERMAN: Anybody?

13 FROM THE FLOOR: I've got a question about  
14 the coating and what was that -- polishing the metal?

15 CHAIRPERSON TIMMERMAN: Yeah.

16 FROM THE FLOOR: I don't know how you guys  
17 feel about that, but coating metals is pretty much  
18 zinc coating. Would you put that in the I-2 instead  
19 of I-1 because of that reason?

20 And, on top of that, the grinding and  
21 polishing, if you grind and polish stainless steel,  
22 then that gives off hexavalent, which is cancerous.  
23 That's something to think about.

24 MS. LAND: That's one of the things you



1 brought up to discuss.

2 SECRETARY STACY: Yeah.

3 FROM THE FLOOR: I know he did say he didn't  
4 know a lot about that. I thought I would point you in  
5 a general direction that makes sense.

6 SECRETARY STACY: What he said was the EPA  
7 regulations, he thought that that would be addressed  
8 that way. But my initial thought was what you left --

9 MS. LAND: Same as you're saying that.

10 SECRETARY STACY: Yeah.

11 MS. LAND: I think maybe he's getting a  
12 little too hung up on "inside the building" because  
13 there can be a lot of things inside the building that  
14 the external effects could seep out.

15 FROM THE FLOOR: Correct.

16 MS. LAND: And it may well be what you're  
17 talking about --

18 CHAIRPERSON TIMMERMAN: Yeah.

19 MS. LAND: -- that would be noxious that you  
20 know of.

21 CHAIRPERSON TIMMERMAN: Right.

22 FROM THE FLOOR: Plating is pretty  
23 chemical-dependent and it's nasty stuff.

24 MS. LAND: Yeah.

1 FROM THE FLOOR: Grinding and polishing, I  
2 mean, I've had -- I've been in places where they've  
3 brought in monitors and tested us to make sure we  
4 weren't being overexposed. But if it wasn't for them  
5 doing it, they wouldn't do it.

6 CHAIRPERSON TIMMERMAN: Right.

7 FROM THE FLOOR: The EPA has nothing to do  
8 with that. That's just them covering their ass, kind  
9 of, so nobody goes after them.

10 MS. LAND: And OSHA doesn't come in and  
11 stomp them.

12 FROM THE FLOOR: No. Especially if it's  
13 under instruction, sure. But if it's just a running  
14 facility and nobody loses a limb or dies, then they  
15 won't be there.

16 SECRETARY STACY: I'm personally comfortable  
17 with pushing it to I-2.

18 CHAIRPERSON TIMMERMAN: I don't think it's a  
19 bad thing.

20 MS. LAND: So we were in I-1 and you want to  
21 move it to I-2.

22 CHAIRPERSON TIMMERMAN: Is there a way to  
23 encompass more than just -- I mean, right now, it's  
24 saying plating.

1 MS. LAND: It's metal plating, buffing,  
2 polishing, subject to appropriate measures to control  
3 the type of process to prevent noxious results and/or  
4 nuisances.

5 CHAIRPERSON TIMMERMAN: Is there a way to  
6 cover more -- like, more chemically based processes  
7 than just -- I don't know.

8 MS. LAND: We'll get to that. I think you  
9 have that already --

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: -- down in I-2. So we have --

12 CHAIRPERSON TIMMERMAN: Corrosive acid and  
13 alkalide stuff?

14 MS. LAND: Uh-huh.

15 CHAIRPERSON TIMMERMAN: Okay. You good  
16 there?

17 MS. LAND: Uh-huh.

18 CHAIRPERSON TIMMERMAN: Anybody else have  
19 any questions? Comments?

20 (No response.)

21 CHAIRPERSON TIMMERMAN: Okay. I see we lost  
22 a lot of people during the meeting.

23 SECRETARY STACY: We're boring.

24 MS. LAND: Told you it would be a snooze

1 fest.

2 CHAIRPERSON TIMMERMAN: That hurts.

3 FROM THE FLOOR: A couple of them thought  
4 they were at the township meeting and they were  
5 wanting to speak with the trustees. They just were at  
6 the wrong meeting.

7 SECRETARY STACY: Oh.

8 CHAIRPERSON TIMMERMAN: Okay.

9 SECRETARY STACY: Okay.

10 CHAIRPERSON TIMMERMAN: Is there anything  
11 else we need to discuss?

12 MS. PARGEON: Tell me about this.

13 MS. LAND: You guys have all been named in a  
14 lawsuit. We haven't technically been served yet. You  
15 will all get certified mail saying that you're being  
16 named in the lawsuit.

17 The township has OTARMA, which is the Ohio  
18 Township something-or-other insurance company that  
19 covers -- it's an insurance pool. They have assigned  
20 an attorney to help with doing these.

21 The last one, the one that -- the first one  
22 that we are still working with did not name the Zoning  
23 Commission, so they didn't -- weren't covered by  
24 OTARMA. You guys have been named, so the attorney

1 will cover you guys as well.

2 Now, you're being sued in your official  
3 capacity, not in your individual capacity. Even if  
4 you are being sued in your individual capacity, that's  
5 not appropriate, and you'll be immediately dismissed  
6 from that standpoint.

7 And so nothing that you personally have,  
8 none of your -- nothing like that is at risk. Only as  
9 your official capacity as a Zoning Commission member.

10 CHAIRPERSON TIMMERMAN: Okay. Yay.

11 UNKNOWN SPEAKER: Say it again.

12 CHAIRPERSON TIMMERMAN: I said "Yay."

13 SECRETARY STACY: Like, how many? 15  
14 individuals thus far.

15 MS. LAND: The list is growing all the time.

16 MS. PARGEON: Why?

17 FROM THE FLOOR: Because of who you're  
18 dealing with.

19 MS. LAND: Not the one to ask.

20 MS. PARGEON: Why?

21 MR. KENT: I can't give you advice. You  
22 have to talk to your lawyer.

23 FROM THE FLOOR: Whenever somebody doesn't  
24 get his way, he files a lawsuit against them.

1 FROM THE FLOOR: Does the zoning committee  
2 still continue on?

3 MS. LAND: Oh, yes.

4 SECRETARY STACY: Yeah.

5 CHAIRPERSON TIMMERMAN: Okay.

6 FROM THE FLOOR: Being a good neighbor.

7 SECRETARY STACY: Yeah.

8 FROM THE FLOOR: We love you.

9 CHAIRPERSON TIMMERMAN: Anything else?

10 VICE CHAIRPERSON REHUS: No.

11 SECRETARY STACY: Do you want to make a  
12 motion to --

13 CHAIRPERSON TIMMERMAN: I move to adjourn  
14 the meeting.

15 VICE CHAIRPERSON REHUS: I'll second.

16 SECRETARY STACY: All in favor, say "Aye."

17 (Vote taken.)

18 SECRETARY STACY: Motion carries.

19 - - -

20 And, thereupon, the proceedings were  
21 concluded at 7:00 p.m.

22 - - -

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1                   BEFORE THE ALLEN TOWNSHIP ZONING COMMISSION

2                                   VAN BUREN, OHIO

3   - - -

4 In Re:           Allen Township Zoning Commission

5   - - -

6                                   TRANSCRIPT OF PROCEEDINGS

7   - - -

8   Thursday, April 25, 2024  
9   5:00 p.m.  
10    Allen Township Center  
11    12829 State Route 613  
12    Van Buren, Ohio    45889

13   - - -

14    GAYLE L. ANDERSON, CRR/CLVS  
15    CERTIFIED REALTIME REPORTER

16  
17  
18  
19  
20  
21  
22    ANDERSON REPORTING SERVICES, INC.  
23   3040 Riverside Drive  
24   Suite 125  
   Columbus, Ohio 43221  
   (614) 326-0177



1 APPEARANCES:

2 CINDY LAND, Attorney at Law  
3 Hancock County Prosecuting Attorney's Office  
4 514 South Main Street  
5 Suite B  
6 Findlay, Ohio 45840  
7 (419) 424-7089  
8 lmland@co.Hancock.oh.us

9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson  
13 Darrin Rehus, Vice Chairperson  
14 Deb Stacy, Secretary  
15 Clara Pargeon  
16 Matt Cordonnier, Hancock Regional Planning  
17 Commission

18 - - -

1 P R O C E E D I N G S

2 - - -

3 BE IT REMEMBERED THAT, on the 25th day of  
4 April, 2024, this cause came on for hearing before the  
5 Allen Township Zoning Commission. And the parties  
6 appearing in person and/or by counsel, as herein set  
7 forth, the following proceedings were had:

8 - - -

9 CHAIRPERSON TIMMERMAN: We're going to call  
10 this meeting to order. We'll do roll call.

11 Dave Evans. He's not here.

12 Clara Pargeon.

13 MS. PARGEON: Here.

14 CHAIRPERSON TIMMERMAN: Darrin Rehus is not  
15 here.

16 Deb Stacy.

17 MS. STACY: I am here.

18 CHAIRPERSON TIMMERMAN: And John Timmerman,  
19 I am here.

20 MS. STACY: Yes, you are.

21 Okay. So I can go ahead and read the  
22 minutes.

23 Allen Township Zoning Commission, April 22,  
24 2024. Attendance: Clara Pargeon, Darrin Rehus, Deb

1 Stacy, John Timmerman. Dave Evans was absent.

2 Deb Stacy, Allen Township Zoning Commission  
3 secretary, read the April 18, 2024, minutes.

4 Motion 24-04-13M: Clara Pargeon moved to  
5 approve the Allen Township Zoning Commission minutes  
6 from the April 18, 2024, meeting. Darrin Rehus moved  
7 to second the motion. Motion passed.

8 Cindy Land, Assistant County Prosecutor,  
9 announced that the individual members of the Allen  
10 Township Zoning Commission would be receiving  
11 litigation papers soon. Cindy passed out a copy of  
12 the litigation to Allen Township Zoning Commission  
13 members.

14 Committee members read through and discussed  
15 the listing of definitions of words provided by Cindy  
16 to be used in the new zoning resolution. The Allen  
17 Township Zoning Commission reviewed Article 12-I-1,  
18 light industrial districts, and Article 13-I-2,  
19 general industrial districts.

20 Matt from Hancock County Regional Planning  
21 provided insight in evaluating industry and its  
22 characteristics in order to designate it as either I-1  
23 or I-2.

24 Section 1402, Planned Unit Development, will

1 be discussed at the next meeting.

2 John Timmerman, chairman, asked for comments  
3 from the guests in attendance. A guest commented  
4 about an industry that handled the coding, grinding  
5 and polishing of metal, such as zinc.

6 After some discussion between the guests and  
7 commission members, it was concluded that an industry  
8 of that nature should be classified as I-2.

9 Motion 24-04-14M: John Timmerman moved to  
10 adjourn the meeting. Darrin Rehus seconded the  
11 motion. Motion passed.

12 So do you want to --

13 CHAIRPERSON TIMMERMAN: I move to accept the  
14 minutes.

15 MS. STACY: Okay. So John is moving to  
16 approve the minutes.

17 MS. PARGEON: And I am --

18 MS. STACY: Are you seconding?

19 MS. PARGEON: Yes, I am seconding.

20 MS. STACY: Okay. All rightee.

21 And all in favor say aye.

22 (Commission members responded.)

23 Motion passed.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. STACY: All right. So you're signing  
2 that. Okay.

3 CHAIRPERSON TIMMERMAN: Do you have  
4 paperwork from the last time that she was supposed to  
5 get, or what was the deal at the end here the last  
6 time? Did you have all the papers you wanted back in  
7 there or she needed or filed?

8 MS. LAND: I don't -- I don't need them. I  
9 have an unsigned copy; and if we have a request for  
10 them, I'll get a signed copy.

11 MS. STACY: Okay.

12 MS. LAND: If they're in there, then --

13 MS. STACY: So you just want me to go ahead  
14 and file this signed one; and then if you need it,  
15 you'll know where it's at?

16 MS. LAND: If I need a signed one, I call  
17 Mark; and he'll scan it and send it to me.

18 MS. STACY: Okay. That works.

19 CHAIRPERSON TIMMERMAN: Anything new on your  
20 side, Cindy?

21 MS. LAND: No.

22 CHAIRPERSON TIMMERMAN: Okay. Last time --

23 MS. LAND: Well, I guess just an update.  
24 The petition process, there was a protest filed with

1 the Board of Elections. They had their hearing on  
2 Tuesday morning at 10 in front of the Board of  
3 Elections. They took statements -- or a statement  
4 from the attorney for Mr. Kent, who was the protester;  
5 and then they took recommendations or comments from  
6 the petition passers. At the end the Board voted to  
7 sustain the petitions and to deny the protest.

8 So it's kind of a moot point, because the  
9 trustees ended up passing the resolution of their own  
10 volition; but at least that whole process is then  
11 completed now.

12 CHAIRPERSON TIMMERMAN: That's complete like  
13 it should be?

14 MS. LAND: Unless it's appealed.

15 CHAIRPERSON TIMMERMAN: Okay. Anything  
16 else?

17 MS. LAND: No.

18 CHAIRPERSON TIMMERMAN: Okay. The last time  
19 we ended --

20 MS. LAND: With Planned Unit Development;  
21 but we were waiting for Matt --

22 CHAIRPERSON TIMMERMAN: Waiting on Matt.

23 MS. LAND: -- and he's not here.

24 So you want to skip over it and go to the

1 next section and come back when he gets here?

2 CHAIRPERSON TIMMERMAN: That seems  
3 reasonable.

4 MS. STACY: [Unintelligible].

5 MS. LAND: Yes.

6 MS. STACY: Okay.

7 MS. LAND: This entire section, I always  
8 kind of like to call it your potpourri section. It's  
9 all that stuff that applies to everything, but not to  
10 everything, but generally stuff that is sort of the  
11 umbrella over everything, each of the different  
12 districts.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: And I think in here is probably  
15 where you'll want to -- Going along here, once we get  
16 close to the end of it, is where you want to put that  
17 section that you took out of definitions at the  
18 beginning. The -- the section about intent and  
19 construction language --

20 CHAIRPERSON TIMMERMAN: Okay. Yeah.

21 MS. LAND: -- we'll put that at the end --

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. STACY: Of this.

24 MS. LAND: -- of the whole -- The end of

1 this section is probably about where we want it.

2 MS. STACY: Okay.

3 MS. LAND: We'll reevaluate when we get  
4 there; but I was just kind of thinking that that's  
5 where it would go. I just had it in my -- stuck in a  
6 brain cell, and it just came.

7 MS. STACY: Okay.

8 CHAIRPERSON TIMMERMAN: Okay. We'll get  
9 started then.

10 Article XV, General Provisions. Section  
11 1500, Conflicting Regulations.

12 Whenever any provision of this resolution  
13 imposes more stringent requirements, regulations,  
14 restrictions or limitations than are imposed or  
15 required by the provisions of any other law or  
16 resolution, then the provisions of this resolution  
17 shall govern. Whenever the provisions of any other  
18 law or resolution impose more stringent requirements  
19 than are imposed or required by this resolution, then  
20 the provisions of such resolutions shall govern.

21 Is that standard --

22 MS. LAND: That's standard.

23 MS. STACY: Standard language?

24 CHAIRPERSON TIMMERMAN: Is there any -- This



1 scenario --

2 MS. LAND: Any other way you can do it?

3 CHAIRPERSON TIMMERMAN: Is there any other  
4 way to do it? My question is specifically driveways  
5 that have shared common and it splits off. I think  
6 that's governed at the County level.

7 MS. LAND: Uh-huh.

8 CHAIRPERSON TIMMERMAN: Is there any way  
9 around that?

10 MS. LAND: You can't change that. The  
11 County is -- Well, the thing is, it's governed by  
12 another set of bureaucracy; and, you know, even if you  
13 have zoning, it's just like one of the -- one of the  
14 layers you have to fight through to get to what you  
15 want to do. You have to go through the Health  
16 Department; you have to go through Regional Planning;  
17 you have to go through the Access Management rules; if  
18 you're doing a subdivision, subdivision rules; and  
19 then down to zoning. So --

20 CHAIRPERSON TIMMERMAN: Here's Matt.

21 MS. LAND: You want to continue here? Let's  
22 go and at least get it done.

23 We're waiting for you to do Planned Unit  
24 Development. We didn't get it done last time.

1 [Unintelligible].

2 MR. CORDONNIER: And I forgot my iPad.

3 MS. LAND: So you got nothing?

4 MS. STACY: He's got it up here.

5 MR. CORDONNIER: I do. I have it up here.

6 MS. LAND: Okay. Let's look at Planned Unit  
7 Developments. You can have my hard copy here.

8 MR. CORDONNIER: Okay. So do you want just  
9 a quick explanation of what it is?

10 CHAIRPERSON TIMMERMAN: Go for it.

11 MR. CORDONNIER: Essentially, a Planned Unit  
12 Development is the creation of a -- a new zoning  
13 category. Each Planned Unit Development can have  
14 different standards. Those standards are negotiated  
15 between the person requesting it and the Village.

16 Generally, a Planned Unit Development is --  
17 In larger cities, you'll see them as like -- The  
18 largest one I've seen, I've worked with was 1,000  
19 acres; and within that 1,000 acres, they had  
20 residential, office, commercial. But the whole  
21 idea -- And the smallest one I've seen is a half an  
22 acre.

23 But essentially what it is, you know, you  
24 create a PUD; and on your zoning map, you'd have PUD,

1 you know, 1-2024. And whenever someone had a question  
2 about that, you'd have to go pull the PUD document to  
3 see what was agreed on, because the setbacks could be,  
4 you know, whatever setbacks were agreed on, whatever  
5 uses were agreed on, height standards, et cetera.

6 So the nice thing about PUD is that when  
7 you -- when you go to rezone something, you can't --  
8 you can't rezone it and say, yeah, we'll give you I-1;  
9 but in this location, you can only do one of the ten  
10 things listed. You can't put conditions on a  
11 rezoning.

12 A PUD is a rezoning in which you get to,  
13 essentially, work out all the conditions.

14 So let's say there was a 20-acre piece of  
15 land that they wanted light industrial; and you're  
16 like, well, how about we go the route of PUD, because  
17 on that 20 acres, we only see, like, the following  
18 three things working.

19 And the person is like, well, that works for  
20 me.

21 So then you sit down, you create a document  
22 that says what all the standards are; and then you go  
23 through the rezoning process. And those standards go  
24 along with the rezoning process.

1           And so it's not an I-1 district, it's not an  
2 R-1 district. It's a PUD. And those rules for that  
3 parcel have been negotiated already.

4           MS. LAND: So that PUD may say you can have  
5 light industrial, but you can also have residential or  
6 multifamily residential in these setbacks and these  
7 rules in that area.

8           MR. CORDONNIER: Yeah. Oftentimes, you  
9 know, to save time and energy, they'll say, well --  
10 And oftentimes, we'll have a map. Like this area is  
11 only where the residential is. This area is only  
12 where the commercial is.

13           MS. LAND: [Unintelligible].

14           MR. CORDONNIER: And then you can say stuff  
15 like it shall have all the following standards as  
16 listed in those districts except for, like, some  
17 exceptions.

18           I will say PUD's are, in general, a pretty  
19 standard zoning mechanism. The City of Findlay from  
20 2012 to 2023 didn't have PUD's; and we brought them  
21 back, thinking that wasn't a good idea not to have  
22 them.

23           MS. LAND: Marion Township has PUD's.

24           MR. CORDONNIER: Yeah.

1 MS. LAND: And some of the development along  
2 Tiffin Avenue, oh, out there past the mall by  
3 Wal-Mart, across from Wal-Mart and all that were done  
4 by -- The area is a PUD. Used to have a lot of houses  
5 and stuff in there, and then they developed -- There  
6 used to be a Fazoli's and stuff in there, in that  
7 area.

8 MR. CORDONNIER: So my general  
9 recommendation is it doesn't hurt to have it in  
10 here --

11 CHAIRPERSON TIMMERMAN: Okay.

12 MR. CORDONNIER: -- in case the day comes  
13 where it could be useful. It's a tool -- it's a tool  
14 that you have if you ever need it.

15 MS. LAND: But it's not something -- Is  
16 it -- Let me rephrase.

17 Is it something that they would put on their  
18 map initially that they see this area as PUD or do  
19 they wait to have it rezoned for that?

20 MR. CORDONNIER: No. I would not -- You  
21 would wait until someone requests a PUD.

22 CHAIRPERSON TIMMERMAN: In the event there  
23 is a PUD, do you -- are you adding to the zoning  
24 resolution or are you -- Is it a separate file, like,

1 this is the rules for --

2 MS. LAND: It's like the layer that gets put  
3 on top of the zoning --

4 MR. CORDONNIER: Yeah.

5 MS. LAND: -- sort of like a --

6 MR. CORDONNIER: Yeah. For a zoning  
7 administrator, when I worked at the town of Fishers in  
8 the suburb of Indianapolis, we had 110 PUD's. So it  
9 got a little frustrating because we had to go to the  
10 big PUD file. Whenever there was a question about a  
11 property, you had to --

12 CHAIRPERSON TIMMERMAN: So it's not actually  
13 a part of the resolution?

14 MR. CORDONNIER: It might technically be. I  
15 think that's kind of a technical question.

16 CHAIRPERSON TIMMERMAN: But it's only  
17 specific to certain pieces of land?

18 MR. CORDONNIER: Geography, yes.

19 CHAIRPERSON TIMMERMAN: So the general  
20 public, if they needed to -- if they wanted to do  
21 something, probably is not looking in the PUD?

22 MR. CORDONNIER: Well, I mean --

23 CHAIRPERSON TIMMERMAN: If they -- The  
24 average person that's not living in that PUD zone or

1 whatever, then they would -- they don't -- it doesn't  
2 even apply to them.

3 MR. CORDONNIER: It only applies to the  
4 geography stated in the PUD.

5 MS. PARGEON: Okay. At the end of this is  
6 what it says. The land use patterns created shall  
7 provide a desirable environment within the project  
8 area while assuring that the value, utility,  
9 convenience and general welfare of the neighboring  
10 uses is not diminished.

11 MS. LAND: So it's sort of the ability to  
12 take a piece of property, instead of having it be  
13 rezoned for one thing, you rezone it for -- like  
14 create a little village, several villages.

15 MR. CORDONNIER: Generally, there's a  
16 give-and-take, you know. The developer may want more  
17 density; and then the Township would require refined  
18 with increased density further than what the code  
19 allows, but then also in exchange we want extra  
20 landscaping and more -- maybe a larger buffer between  
21 uses. It's all sorts of give-and-take.

22 MS. LAND: We keep saying we're rezoning it  
23 as a PUD; but it doesn't go through the rezoning  
24 process to do that, does it?

1 MR. CORDONNIER: It does.

2 MS. LAND: It does? The hearings and the  
3 whole works?

4 MR. CORDONNIER: Yes.

5 MS. LAND: Okay.

6 MR. CORDONNIER: But you have the agreement  
7 worked out before.

8 MS. LAND: Before that, yeah. Okay.

9 MR. CORDONNIER: And in general, and I'm not  
10 the attorney --

11 MS. LAND: This attorney doesn't know how it  
12 works yet.

13 MR. CORDONNIER: -- you know, just one thing  
14 to think about, you know. I've always been told by an  
15 attorney, who I really trust, essentially, depending  
16 on what the land use plan says, no one has a right to  
17 a rezone.

18 MS. LAND: That's true.

19 MR. CORDONNIER: You know, it's a request.  
20 And I mean, the municipality or township should think  
21 thoughtfully about it, refer to their land use plan  
22 and make decisions; but they don't have a right to it.

23 Where a permitted use in a district, they do  
24 have -- the property owner does have a right to that.



1 So that's where --

2 CHAIRPERSON TIMMERMAN: So ultimately it  
3 comes down to the Board approving it is what you're  
4 saying?

5 MR. CORDONNIER: Yes. So I don't have a  
6 fear of the PUD, because the Board has a lot of sway  
7 over whether it's permitted or not. A property owner  
8 doesn't have a right to a PUD. They can request it,  
9 and you can deny them; but they don't have a right to  
10 it.

11 CHAIRPERSON TIMMERMAN: Okay. Well, then is  
12 that everything at this point?

13 MR. CORDONNIER: That's my -- that's my  
14 short little description of what it is.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MR. CORDONNIER: I think they're a good  
17 tool.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MR. CORDONNIER: And there's no danger  
20 having it in there.

21 CHAIRPERSON TIMMERMAN: You want to read,  
22 Clara, or you want me to?

23 MS. PARGEON: You can go ahead.

24 CHAIRPERSON TIMMERMAN: Okay. We're at

1 Section 14.02, Planned Unit Development, No. 1,  
2 Intent: The Planned Unit Development option is  
3 intended to permit large-scale development excluded in  
4 a manner -- I'm sorry -- executed in a manner  
5 consistent with sound land use planning principles and  
6 in harmony with existing development in the  
7 surrounding area. The land use patterns created shall  
8 provide a desirable environment within the -- within  
9 the project area while ensuring that the value,  
10 utility, convenience and general welfare of  
11 neighboring uses is not diminished.

12 No. 2, Procedure for Application:

13 Application shall be made to the zoning commission for  
14 consideration under this option. The applicant  
15 applying shall be required to make a submittal of the  
16 following material for review and recommendation by  
17 the commission.

18 A: A property area survey of the exact area  
19 being requested.

20 B: A disclosure of the applicant's --  
21 applicant's ownership interest in the land being  
22 requested for the PUD option.

23 C: A topography map of the entire area at a  
24 contour interval appropriate to the site. For -- for

1 relatively level terrain, the interval shall not be  
2 more than two feet. This map shall indicate all  
3 natural and man-made features within the site.

4 D: A plan of the entire area carried out in  
5 such detail as to show the land uses being requested,  
6 the densities being proposed where applicable, the  
7 system of collector streets and off-street parking  
8 system.

9 E: A written statement explaining in detail  
10 the full intent of the applicant, indicating the  
11 specifics of the development as -- the development  
12 plan as it relates to the type of the dwelling units.

13 MS. STACY: Do you want to change that  
14 collector? We had a discussion about collector  
15 streets. Change them to that word?

16 MS. LAND: Well, they were major collectors.  
17 It was what was replacing thoroughfare, and we decided  
18 to change thoroughfare to street or road.

19 MS. STACY: Okay.

20 MS. LAND: Road or street.

21 So collector streets I think -- I don't  
22 really know how to change that.

23 MR. CORDONNIER: I would maybe -- I would  
24 maybe just say the roadway system.

1 MS. PARGEON: Yeah. That would make it  
2 simpler.

3 MR. CORDONNIER: And in general, they don't  
4 have to show every -- You don't need to show every --  
5 every road, but the major roadways and how it would  
6 all flow.

7 CHAIRPERSON TIMMERMAN: Where were we then?  
8 Still on E? We're going to go back.

9 -- indicating the specifics of the  
10 development plan as it relates to the type of dwelling  
11 units contemplated in resultant population; the extent  
12 of nonresidential development in the resultant traffic  
13 generated and parking demands created.

14 MS. LAND: Okay. Sort of a logistical  
15 question. When you say that there's negotiating and,  
16 you know, working out this agreement, at what phase of  
17 this does it happen? So they're putting in the  
18 application now at this point, what we just read  
19 through, explaining what they want. Does it go into  
20 hearing process for the negotiation, or is it  
21 something that's done at meetings?

22 MR. CORDONNIER: My honest answer is it  
23 occurs outside of the meetings and in meetings.  
24 Whether that's right or wrong, I'm not sure.

1 MS. LAND: You guys are never going to do  
2 anything out of a meeting. Just so we know.

3 MR. CORDONNIER: Yeah. I mean, for example,  
4 if something would come to me and I would make  
5 recommendations, like let's shift the roadway here  
6 and, you know, those type of things, and I think that  
7 will be received well, let's take that to the meeting.  
8 But then at the meeting, I think there would also be a  
9 kind of a give-and-take about, you know, talk about  
10 density or --

11 MS. LAND: So the zoning commission would,  
12 basically, have a meeting to talk with you and with  
13 them, whoever the applicant is, about what the plan is  
14 and have their suggestions of what they do or don't  
15 like to be able to come down to what would be going to  
16 a hearing, the public hearing on it.

17 MR. CORDONNIER: Yeah. I think if they are  
18 meeting with the zoning commission, that would be a  
19 public hearing.

20 MS. LAND: So it doesn't have the same  
21 standards as a regular rezoning that requires a  
22 ten-day notice and all that?

23 MR. CORDONNIER: It should, yeah.

24 MS. LAND: Well, that's not a regular

1 meeting of the zoning commission. There's a  
2 difference between the meetings and the hearings.

3 MR. CORDONNIER: Okay. That I'm not  
4 familiar with.

5 MS. LAND: So we'll work it out. If one  
6 comes up, we'll create our procedure to do it the way  
7 that is comfortable for you guys depending on what it  
8 looks like. If it's something that they give the  
9 recommendation to you guys, hand it to you from  
10 regional planning, and you have your meeting to look  
11 at and nothing to say, then you set your hearing and  
12 go. We can do that. It will take two meetings of you  
13 guys to get it going, basically.

14 CHAIRPERSON TIMMERMAN: Does it come from  
15 regional planning?

16 MS. LAND: No. It comes from a property  
17 developer, someone who -- An applicant would be the  
18 owner of the property.

19 CHAIRPERSON TIMMERMAN: Okay. That's what I  
20 thought it was.

21 MS. LAND: Does it have to be all the  
22 property under single owner to do a PUD?

23 MR. CORDONNIER: No.

24 MS. LAND: It has to be one of the owners

1 asking for the PUD, or do they all need to sign off?

2 MR. CORDONNIER: They all need to agree, so  
3 that I'm not -- so I'm not rezoning Cindy's land  
4 and --

5 MS. LAND: Exactly my worry. It's not like  
6 an annexation where it's just a majority. It has to  
7 be all of them?

8 MR. CORDONNIER: Correct.

9 MS. LAND: Okay.

10 MR. CORDONNIER: Rezoning go to regional  
11 planning. We review them, and we make a  
12 recommendation. Whether the Township follows it or  
13 not is 100 percent up to them.

14 MS. LAND: They just have to acknowledge  
15 that they received the recommendation, because they  
16 are doing the hearings. Generally, they follow them,  
17 not always; but they usually have some good insight  
18 for what's going on.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. CORDONNIER: It's really another set of  
21 eyes and ears to give an opinion.

22 MS. LAND: And sometimes, you know,  
23 [unintelligible].

24 MS. PARGEON: It's best to get all kinds of

1 opinions.

2 MS. LAND: You guys have been doing this for  
3 a while. You're sort of flying blind, and any time  
4 you can get some experience --

5 MS. PARGEON: Appreciate it.

6 MS. LAND: -- take it, yeah.

7 MS. PARGEON: Yes.

8 MS. LAND: Take it with a grain of salt and  
9 put your own spin on it but at least listen. That's  
10 always a good idea.

11 MS. PARGEON: PUD Approval: The following  
12 procedure shall be used in review of the plan by the  
13 zoning commission and approval of the general plan by  
14 the Township trustees.

15 A: The PUD plan shall be reviewed and a  
16 recommendation shall be made by the zoning commission  
17 relative to the plan's meeting the general goals and  
18 objectives of the Township's comprehensive land use  
19 plan.

20 B: Approval shall be given only after  
21 public hearing and shall be granted by adoption of a  
22 resolution designating the area to the PUD. Approval  
23 under this section of the resolution is based on the  
24 plan submitted; and, therefore, the plan and



1 supporting documentation are basic to the PUD  
2 designation.

3 C: Once an area has been included within a  
4 PUD, no development shall take place therein nor use  
5 made of any part thereof except in accordance with the  
6 general plan as originally approved or in accordance  
7 with any approved amendments thereto.

8 D: Upon approval by the Township trustees  
9 of a PUD, the general plan shall become an integral  
10 part of the zoning for the PUD area and for purposes  
11 of recordation shall be referred as a planned unit  
12 development and whatever number, which number shall  
13 correspond to the number of the resolution designating  
14 the PUD. All approved plans shall be filed with the  
15 Township clerk and the zoning inspector.

16 MS. LAND: We need to change that to  
17 Township fiscal officer.

18 MS. STACY: Yes.

19 MS. LAND: There's no such thing as a clerk  
20 anymore.

21 MS. STACY: That's correct. That's correct.  
22 They're fiscal officers now.

23 MS. PARGEON: I didn't know that.

24 MS. LAND: Yeah. They'll tell you.

1 MS. STACY: Yes, they will.

2 For the public hearing is that typically a  
3 30-day notice?

4 MS. LAND: For rezonings, they're ten-day  
5 notices. For variances they're ten-day notices. So I  
6 would presume for this one it would have to follow  
7 that ten-day notice rule.

8 MS. PARGEON: E: Approval of a PUD general  
9 plan shall be effective for a period of two years with  
10 additional two-year extensions being automatic as long  
11 as development of the area continues to be carried  
12 out. Amendments to the PUD general plan must be  
13 approved by the Township trustees through the steps  
14 outlined in 1 and 2 above.

15 CHAIRPERSON TIMMERMAN: How does that play  
16 out? So you got two years initially with an  
17 additional two years?

18 MS. LAND: It would -- You keep getting  
19 two-year renewals.

20 We also have a provision like this with  
21 permits. Usually if you get a permit, it's good for a  
22 year; and if you're still working on it diligently and  
23 not just letting it go fallow, you get another year.

24 This one looks like it has an additional two

1 years. It can go on as long as it has to as long as  
2 development is still happening in the area.

3 The thing being if it's a very large area,  
4 it can take quite a while for these things to be  
5 completed. So it might take four or five years or  
6 more to have it built out.

7 CHAIRPERSON TIMMERMAN: What happens if it  
8 fizzles out and it's not completed, but they're not  
9 putting forth effort anymore? Is it still zoned the  
10 PUD, or does it revert?

11 MS. LAND: I think at the end of two years,  
12 you could revoke its PUD status for anything  
13 additional that's going to be put in there that  
14 doesn't already have permits to be built. And then  
15 you --

16 Like if they only build, like, a 100-acre  
17 PUD and they only build one thing and nothing else  
18 happens, in two years you can take the rest of that  
19 out of the PUD and have it --

20 MS. PARGEON: Redone.

21 MS. LAND: It would just go back to its  
22 normal zoning and later get appealed.

23 MR. CORDONNIER: I think -- So the final  
24 plan approval, so you get your PUD approved; and then

1 oftentimes, you know, you have 100 acres or 10 acres,  
2 whatever; but you often do it in phases.

3 CHAIRPERSON TIMMERMAN: Right.

4 MR. CORDONNIER: So you go for final plan  
5 approval for Phase One. That's kind of -- That's been  
6 approved. That's kind of out the door. But the  
7 general plan, if they're not moving forward, then  
8 Phase Two, Three, and Four might be in jeopardy if  
9 they're not moving forward.

10 CHAIRPERSON TIMMERMAN: If you -- if you  
11 kind of stop the process, it would just revert back?

12 MR. CORDONNIER: I don't -- I don't -- I  
13 don't -- They would -- I don't think so. I don't  
14 know. I mean, that's a good question. I think -- I  
15 think they would have to start the process -- they'd  
16 have to start the process over again.

17 MS. LAND: I don't -- With it written here  
18 that it only lasts for two years, but with it  
19 automatically renewing, unless it's not proceeding, I  
20 would think at the end of every two years your zoning  
21 inspector would have to look at it and determine if  
22 it's still in process and in a, you know, healthy  
23 progression of development; and if it's not, he would  
24 make a report to the trustees, who would come to you

1 guys and ask you guys to hold a hearing to determine  
2 if it needs to be disposed of and stopped. I think  
3 since it automatically renews, I think it would take  
4 action on your part to make it not renew --

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: -- because it's set to  
7 automatically go unless you make the point that it's  
8 not going anymore because of an issue.

9 It's one of those education things you'll  
10 have to work out with your zoning inspector so that  
11 they're aware of those kind of things and what they're  
12 looking for. It's part of what they'll do. They'll  
13 get it.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. PARGEON: Final Plan Approvals.

16 Following approval of a PUD area by the  
17 Township trustees, subdivision plats and the site  
18 plans for each specific phase of the development shall  
19 be reviewed by the zoning commission. These plans  
20 shall be in such form and shall contain such  
21 information as the zoning commission requires in its  
22 rules. The zoning commission, in reviewing the  
23 preliminary and final plans submitted under the PUD,  
24 shall use as a guide the standard set forth in the

1 individual zoning district regulations. Where strict  
2 application of specific use district standards would  
3 serve no significant purpose, the zoning commission  
4 shall have the authority to waive or modify such  
5 standards so long as the convenience and general  
6 welfare of neighboring uses is not diminished. Before  
7 approving the final plats or site plans, the  
8 commission shall determine that:

9           A: All dedications of -- yeah, of public  
10 rights-of-ways or planned public open spaces shall be  
11 made prior to any construction taking place on the  
12 site.

13           B: In residential areas any prorated open  
14 space shall be irrevocably committed by detection --  
15 boy, words -- to an association of residents and  
16 retained as open space for park, recreation and  
17 related uses.

18           MS. LAND: Okay. Stop.

19           MS. PARGEON: Okay.

20           MS. LAND: Whenever we have in there that  
21 something must go to a residents' association, we  
22 always have problems, because there are very few  
23 active residents' associations anywhere. They kind of  
24 fizzle.

1           So I have some concerns with this part of  
2 it. I think it could end up with you guys having park  
3 and open space that's abandoned and you guys have to  
4 find a way to take care of it, the Township does.

5           Matt, do you have any suggestions anywhere  
6 or anywhere to look to see if there's some other means  
7 for -- for this kind of thing?

8           MR. CORDONNIER: I'll make a note. I  
9 know -- So if you do a subdivision plat today and  
10 oftentimes this is the retention pond --

11          MS. LAND: [Unintelligible].

12          MR. CORDONNIER: Well, the -- Doug Cade  
13 [phonetic] requires them to enter it into the County  
14 maintenance program right away so that the  
15 homeowners -- The subdivision is not responsible for  
16 the pond maintenance. The County is.

17          MS. LAND: Yeah. Those are ditch and  
18 drainage laws, though. So when it comes to parks and  
19 stuff, though, it's a little different. I don't know.

20          MR. CORDONNIER: Offhand, I don't know what  
21 the options are. I'm sure there are options; but I  
22 mean, it could be dedicated directly to the Township,  
23 but I don't know that.

24          MS. LAND: But then they take it over and

1 take care of it.

2 MR. CORDONNIER: Yeah. But I agree. HOA's  
3 and those start off like gangbusters, and then after  
4 40 years --

5 MS. LAND: Or even ten years when people  
6 have moved and nobody told them that there's supposed  
7 to be an HOA.

8 MR. CORDONNIER: I deal with that all the  
9 time.

10 MS. LAND: So do I.

11 MS. PARGEON: Provisions, satisfactory to  
12 the Township, have been made to provide for the  
13 financing of any improvements shown on the plan for  
14 open spaces and common use areas which are to be  
15 provided by the applicant, and that maintenance of  
16 such improvements is assured by a means satisfactory  
17 to the Township.

18 D: The cost of installing all streets and  
19 necessary utilities has been assured by a means  
20 satisfactory to Allen Township and Hancock County.

21 E: The final plans of each project area of  
22 the approved plan are in conformity with the overall  
23 approved plan. Any changes or amendments requested  
24 shall terminate approval on the overall plan until



1 such changes or amendments have been reviewed and  
2 approved as in the instance of the first submittal.  
3 Site plans approvals granted within a PUD area shall  
4 be effective for one year. If construction commences  
5 within the initial approval period, such construction  
6 may continue until that phase of the project is  
7 complete. If construction fails to commence during  
8 that period, approval of that site plan shall lapse  
9 and permits issued in connection therewith shall cease  
10 to be in effect. Resubmittal of the site plan shall  
11 be necessary in order to secure new permits.

12 MS. LAND: I don't understand that sentence.  
13 I don't -- I know I'm tired, but this doesn't make  
14 sense.

15 Any changes or amendments requested shall  
16 terminate approval on the overall plan until such  
17 changes and amendments have been reviewed and  
18 approved.

19 What does that mean?

20 MR. CORDONNIER: Which letter is that under?

21 MS. LAND: E.

22 MS. PARGEON: E.

23 MS. LAND: It's, like, the third line down.

24 MS. PARGEON: They come up where they're

1 working on it and then decided, hell, we want to do  
2 something different instead to change something?

3 CHAIRPERSON TIMMERMAN: It's just saying  
4 it's put on hold until the request --

5 MS. PARGEON: Shall terminate approval on  
6 the overall plan until such changes or amendments have  
7 been reviewed and approved as in the instance of the  
8 first submittal. Site plan approvals --

9 MS. LAND: Okay. Yeah. I think terminate  
10 isn't the right word. Suspend?

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. PARGEON: Yeah. That would sound --

13 MS. LAND: Do you think that would be --

14 MR. CORDONNIER: I think that's better.

15 MS. LAND: It explains better what they  
16 mean.

17 MR. CORDONNIER: I think the intent is, you  
18 know -- I talked about, like, four phases; and you're  
19 in Phase Three and you decide I'm going to do some  
20 crazy squiggly line road that doesn't really fit in  
21 with the rest of the phases. I think it's saying  
22 until that amendment to Phase Three is approved, the  
23 overall plan is suspended.

24 MS. LAND: It's on hold until we get this

1 sorted out. Makes sense. That terminate approval,  
2 that seems weird.

3 MS. PARGEON: Yes.

4 MS. LAND: That's not quite the right way  
5 to --

6 MR. CORDONNIER: Terminate is permanent.

7 MS. PARGEON: Yes. That's the end of it.  
8 No more. No more.

9 MS. STACY: So for clarification, a PUD  
10 could be residential, it could be business, it could  
11 be industry or a combination of all those things?

12 MR. CORDONNIER: Yeah or something that  
13 doesn't fit any of those categories.

14 MS. STACY: Right, because it's more of a  
15 unique, separate entity?

16 MR. CORDONNIER: I think of it, you know, as  
17 you're creating a completely separate zoning district.  
18 You have I-1, I-2, R-1, R-2.

19 MS. LAND: Have you ever been up to Pace  
20 Setterfield [phonetic] in Mayberry?

21 MR. CORDONNIER: Too many times.

22 MS. LAND: That looks like the example of  
23 PUD --

24 MR. CORDONNIER: Yeah.

1 MS. LAND: -- because they have shops on the  
2 bottom; they have big stores and, like, condos around  
3 the back; and they have apartments on the top. It's  
4 all a mix of lots of uses in one little village.

5 MS. PARGEON: That nobody ever leaves,  
6 right?

7 MR. CORDONNIER: To me that's --

8 MS. LAND: And an ice cream shop.

9 MR. CORDONNIER: That's kind of what I think  
10 of as a traditional. It's like a large scale, 250  
11 acres, you know. We're going to incorporate a  
12 downtown-like atmosphere and offices and then -- and  
13 then housing and then apartments and then commercial,  
14 you know.

15 But it can also be, you know, 40 acres, you  
16 know, two industrial-type things; they have a unique  
17 circumstance; and they -- you know, this is how it's  
18 going to work.

19 So it's a way to -- What it really does, in  
20 my opinion, it allows some freedom away from the  
21 rigidness of C-2, R-1. It allows creativity. It  
22 allows ways to kind of get around -- get around is  
23 maybe not the best way -- a way to add flexibility to  
24 your code if -- if the time and place for it comes.

1           Otherwise, the alternative is they rezone.  
2 They take their 100 acres, and they rezone part R-1  
3 and part C-2 and part this. And because of the  
4 layout, you need three variances here, you need four  
5 variances here, you know. So it's a way to kind of  
6 work through that whole process. How is it all going  
7 to work?

8           And that's -- The nice thing I like about it  
9 is, like, you know where the roads are going to go,  
10 you know where the buildings are going to be,  
11 essentially. You know what's going to happen before  
12 you grant what's going to happen.

13           MS. STACY: Correct. Correct.

14           MS. LAND: You've got to be careful in  
15 rezoning a little bit here, a little bit here. It's  
16 called spot zoning; and you can't just pick out, you  
17 know. Because you want your industry over here, but  
18 it's agriculture, you put a spot over here in the  
19 middle of nowhere for you. That's not something  
20 that's a good thing. And that's something else that  
21 the PUD would help alleviate, because they would have  
22 several little spots that don't seem to coalesce  
23 together. And then, you know, when they overlap, you  
24 get all those variances and stuff.

1 CHAIRPERSON TIMMERMAN: When you started  
2 this, you said you've seen this as large as 1,000  
3 acres --

4 MR. CORDONNIER: Yeah.

5 CHAIRPERSON TIMMERMAN: -- as small as a  
6 half an acre.

7 I think what you're saying is stuff in the  
8 middle. Anything bigger would be similar to stuff in  
9 the middle. What's a scenario that would be something  
10 a half an acre or something smaller?

11 MR. CORDONNIER: It was -- it was -- They  
12 put in an Arby's, and they had so many variances that  
13 they just did a PUD rather than go and try to get a  
14 bunch of variances.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MR. CORDONNIER: To me that was against the  
17 intent of what the planning -- the PUD was, but it got  
18 approved.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. CORDONNIER: I know exactly where that  
21 Arby's is.

22 MS. LAND: It's still noisy, right?

23 MR. CORDONNIER: It's 116th Street in  
24 Fishers, yeah. So I don't see it very often.

1 MS. LAND: And when you do, it makes your  
2 teeth grind, doesn't it?

3 Okay. I think we're ready to go on to  
4 Article XV.

5 MS. PARGEON: Okay. Article XV.  
6 Conflicting regulations.

7 MS. LAND: Okay. We already went through  
8 the --

9 MS. PARGEON: What page?

10 CHAIRPERSON TIMMERMAN: Right there. Just  
11 the next paragraph.

12 MS. PARGEON: Section 1501, Scope:  
13 No building or structure, or part thereof,  
14 shall hereafter be erected, constructed or altered and  
15 maintained, and no new use or change shall be made or  
16 maintained for any building, structure, or land, or  
17 part thereof, except in conformity with the provisions  
18 of this resolution.

19 Section 1502: Nonconforming lots,  
20 nonconforming uses of land, nonconforming structures,  
21 and nonconforming uses of structures and premises.

22 MS. LAND: When you start zoning, when you  
23 haven't had zoning, you will have a lot of  
24 nonconforming uses, because you're not going to go

1 around and zone for what's already there. Some you  
2 will, but they are clusters of things; but otherwise,  
3 they will end up being considered nonconforming. And  
4 they're still permitted. It's not like you have to  
5 tell somebody they have to stop doing what they're  
6 doing because of the zoning.

7 The other thing you'll get questions about  
8 that I just want to throw out there so you remember,  
9 how you zone it has nothing to do with how it's taxed  
10 either. So if people get all worked up that you just,  
11 you now, zoned me industrial and I'm agricultural, I'm  
12 farming it, it's going to change my taxes, it will  
13 not.

14 The actual use of your property controls  
15 your taxes, not how you [unintelligible].

16 MR. CORDONNIER: In fact, I've -- I've  
17 answered this question a lot too. The County  
18 auditor's office does not have the zoning. They don't  
19 have the zoning for the city. They don't have the  
20 zoning for any of the townships.

21 MS. LAND: Yeah. They don't take it under  
22 consideration for anything.

23 MR. CORDONNIER: It's not a consideration.

24 We did a map update, and we had -- we had



1 about 500 residential parcels in the city of Findlay  
2 that were zoned light industrial; and they were taxed  
3 as residential. They tax you on how you're using the  
4 land, not on how it's zoned. So that's -- that's an  
5 important point.

6 MS. STACY: Okay.

7 MR. CORDONNIER: If you -- if you took  
8 someone's farm field and zoned it whatever, they're  
9 not -- they're not going to be zoned as --

10 MS. LAND: Correct. They're not going to be  
11 taxed any different than they currently have. And  
12 that's okay. That's good.

13 That's something you need to know and answer  
14 at your hearings, I guarantee. It's always asked.

15 MR. CORDONNIER: It's -- it will be at the  
16 top of the list.

17 MS. PARGEON: 1. Intent:

18 It is the intent of this resolution to  
19 permit legal, nonconforming lots, structures or uses  
20 to continue until they are removed.

21 It is recognized that there exists within  
22 the districts established by this resolution and  
23 subsequent amendment lots, structures and uses of land  
24 and structures which were lawful before this

1 resolution was passed or amended which would be  
2 prohibited, regulated or restricted under the terms of  
3 this resolution or future amendments.

4           Such uses are declared by this resolution to  
5 be incompatible with permitted uses in the districts  
6 involved. It is further the intent of this resolution  
7 that nonconformities shall not be enlarged upon,  
8 expanded or extended, nor be used as grounds for  
9 adding other structures or uses prohibited elsewhere  
10 in the same district.

11           A nonconforming use of a structure, a  
12 nonconforming use of land or a nonconforming use of a  
13 structure and land shall not be extended or enlarged  
14 after passage of this resolution by attachment on a  
15 building or premises of additional signs intended to  
16 be seen from off the premises or by addition of other  
17 uses of a nature which would not be permitted  
18 generally in the district involved.

19           To avoid undue hardship, nothing in this  
20 resolution shall be deemed to require a change in the  
21 plans, construction or designated use of any building  
22 on which actual construction was lawfully begun prior  
23 to the effective date of adoption or amendment of this  
24 resolution and upon which actual building construction

1 has been diligently -- I can't say the word --  
2 diligently carried on. Actual construction is hereby  
3 defined to include the placing of construction  
4 materials in permanent position and fastened in a  
5 permanent manner. Except where demolition or removal  
6 of an existing building has been substantially begun  
7 preparatory to rebuilding, such demolition or removal  
8 shall be deemed to be actual construction, provided  
9 that work shall be diligently carried on until  
10 completion of the building involved.

11 2, Nonconforming --

12 MS. LAND: Wait a minute. Does anybody have  
13 any questions about that?

14 MR. CORDONNIER: I don't -- I don't like the  
15 first -- I feel like it's -- I don't like the first  
16 paragraph. I just don't like the word "until they are  
17 removed."

18 MS. STACY: [Unintelligible].

19 MR. CORDONNIER: Well, I mean, it depends.  
20 Like, in general -- And that's what I was flipping  
21 through to see; and it looks like if you have a barber  
22 shop and it's zoned residential and -- you have a use  
23 that's not permitted, but it's grandfathered. You can  
24 continue to do it.

1 MS. LAND: Forever if you're still doing it.

2 MR. CORDONNIER: Forever if you're still  
3 doing it.

4 But if you close the barber shop for two  
5 years, it loses its nonconformity.

6 I just -- I feel like the word -- I think  
7 once we digest this all, we have to come back and look  
8 at "removed."

9 MS. STACY: Right. Right.

10 MR. CORDONNIER: Especially to me I read  
11 that; and it's like, well, my -- it's grandfathered  
12 until the building is removed --

13 CHAIRPERSON TIMMERMAN: Right.

14 MR. CORDONNIER: -- which for the building  
15 that's probably true, but not for uses in different,  
16 you know --

17 So I think, just put a little asterisk on  
18 that to maybe revisit it here once we've digested  
19 everything.

20 MS. PARGEON: Nonconforming uses of  
21 structures and land.

22 MS. LAND: Wait a minute. We're on 2.

23 MR. CORDONNIER: We're on 2.

24 MS. PARGEON: Okay. We're on 2. Sorry.

1 Nonconforming structures:

2 Where a lawful structure exists at the  
3 effective date of adoption or amendment of this  
4 resolution that could not be built under the terms of  
5 this resolution by reason of restrictions on area, lot  
6 coverage, height, yards or other characteristics of  
7 the structure or its location on the lot, such  
8 structures may be continued as long as it remains  
9 otherwise lawful, subject to the following provisions:

10 A: No such structure may be enlarged or  
11 altered in a way which increases its nonconformity.  
12 Such structures may be enlarged or altered in a way  
13 which does not increase its nonconformity.

14 B: Should such --

15 MS. LAND: Hold on a second. You guys know  
16 what that means?

17 MS. PARGEON: Does that mean it's not being  
18 changed into something, used for something else?

19 MS. LAND: We're not talking about uses  
20 here. We're only talking about the structure itself.

21 So if you have something that, say, has, you  
22 know, setbacks that are too close to the road, it can  
23 stay that way. It's not -- You don't have to move it  
24 back. It's nonconforming because it's not -- the

1 structure is in the right place; and you're prohibited  
2 from building a porch on the upper front and making it  
3 even closer to the [unintelligible], but you can build  
4 a deck on the back if you're still within the  
5 setbacks.

6 MS. PARGEON: Okay. That makes sense.

7 MS. LAND: Make sense?

8 CHAIRPERSON TIMMERMAN: Would you be allowed  
9 to extend -- I don't know how to say this -- like a  
10 side lot? Okay? If you're too close to the side  
11 setback, could you extend the structure back,  
12 maintaining that setback, or the addition would have  
13 to be set into the setback?

14 Does that make sense?

15 MS. LAND: That's kind of open for  
16 interpretation --

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: -- because you are probably  
19 increasing the degree of the nonconforming if you  
20 build more too close to the setback.

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: So I'm on the conservative side.  
23 I would be saying, "Huh-uh. No, you can't. You'd  
24 have to -- Where your addition has to be has to be --

1 meet the appropriate setbacks."

2 CHAIRPERSON TIMMERMAN: Okay. That's the  
3 way I read it.

4 MR. CORDONNIER: That's the way -- At the  
5 City of Findlay, Eric, that's how he would interpret  
6 it, the zoning inspector. He would say the addition  
7 has to meet the setbacks.

8 MS. LAND: Because you're increasing it's  
9 nonconformity because there's more of that side yard  
10 encroached.

11 MS. PARGEON: B: Should such structure be  
12 destroyed by any means to an extent of more than  
13 60 percent of its market value appraisal by the  
14 Hancock County auditor, exclusive of the foundation,  
15 it shall be reconstructed only in conformity to the  
16 provisions of this resolution.

17 C.

18 MS. LAND: Again, you guys know what we're  
19 talking about here?

20 MS. PARGEON: Yes. If a storm comes and  
21 wipes it out --

22 MS. LAND: If it's not more than 60 percent  
23 gone, you can put it back and still continue on with  
24 your nonconforming use. You can put it back as

1 nonconforming.

2 MS. PARGEON: Yes.

3 MS. LAND: But if it's more than 60 percent  
4 destroyed, you got to put it back the right way.

5 MS. PARGEON: C: Should such --

6 MS. LAND: Wait a minute.

7 MS. PARGEON: Okay.

8 MS. LAND: That 60 percent is a negotiable  
9 number. You guys can choose what you want.

10 Some say I don't think you can go less than  
11 50 percent, but you can go -- make it higher. They'd  
12 have to have 100 percent destroyed before they  
13 couldn't put it back or -- because that's less  
14 restrictive. See what I mean?

15 MR. CORDONNIER: The City of Findlay, they  
16 changed it a couple years ago to be -- to be even more  
17 lenient in that you have two years -- If it's 100  
18 percent destroyed, you have two years to build on the  
19 same location, the same footprint. Just you have to  
20 start construction within two years, reconstruction;  
21 and you can go back on that footprint.

22 MS. LAND: That's very liberal.

23 MS. PARGEON: Uh-huh.

24 MS. LAND: So you guys like the 60 percent?



1 You want to go 75 percent? 100 percent?

2 CHAIRPERSON TIMMERMAN: That's a tough one.  
3 There's so many scenarios. It's like, yeah, go for  
4 it. There's other scenarios where you possibly  
5 wouldn't want that structure back.

6 MS. PARGEON: Yeah. Right.

7 CHAIRPERSON TIMMERMAN: This is a --

8 MS. LAND: But it's a one-size-fits-all.

9 MR. CORDONNIER: You don't get to play  
10 favorites.

11 CHAIRPERSON TIMMERMAN: Right. So --

12 MR. REHUS: Leave it.

13 CHAIRPERSON TIMMERMAN: I would think I  
14 would tend to probably leave it, but I'm open to  
15 everybody's thoughts.

16 MS. STACY: Do we want to keep it at 60?

17 MS. PARGEON: Depends what it is. It makes  
18 it harder.

19 MR. REHUS: I say leave it.

20 CHAIRPERSON TIMMERMAN: Open it up to the  
21 public?

22 Deb, you're good with that?

23 Anybody out there have thoughts?

24 UNIDENTIFIED PERSON: 100 percent.

1 CHAIRPERSON TIMMERMAN: 100 percent.

2 UNIDENTIFIED PERSON: If it's already there,  
3 it would be, like, grandfathered in. Two years.

4 MS. STACY: Two years is statutory. You  
5 can't make it less than two years.

6 MS. LAND: You can give them more time if  
7 you wanted, but not less than two years.

8 CHAIRPERSON TIMMERMAN: You said keep it  
9 initially.

10 UNIDENTIFIED PERSON: It depends on what it  
11 is. That's the problem. That's why I like the 60  
12 percent.

13 UNIDENTIFIED PERSON: I'm just saying I love  
14 everything about the zoning except for one thing.  
15 Once it gets voted in, can that one thing be changed?

16 UNIDENTIFIED PERSON: It's very difficult.

17 MS. LAND: Are you asking me?

18 UNIDENTIFIED PERSON: Anybody.

19 MS. LAND: A zoning book is a living  
20 document. It can be amended and changed; but if  
21 there's something that, you know, is a big issue now,  
22 I mean, you might want to address it now before it  
23 gets --

24 MR. REHUS: I don't. I just --

1 MS. LAND: Oh, you mean if there is  
2 something you don't --

3 UNIDENTIFIED PERSON: Yeah.

4 MS. LAND: Oh, yes, yes. Absolutely.

5 CHAIRPERSON TIMMERMAN: If we decide we  
6 don't like the 60 percent or the 100 percent --

7 UNIDENTIFIED PERSON: I could talk to  
8 somebody in the township, you know; and they might  
9 say, "Why, I love it except for this one thing, so I'm  
10 going to vote against it." Well, can that -- Once it  
11 gets approved, gets voted on, can that one thing  
12 possibly be changed?

13 MS. LAND: Yes. There's always the ability  
14 to amend it. It goes through a hearing process, a  
15 shorter hearing process than what we have for  
16 initially putting it into effect; but it's doable.

17 A lot of zoning ordinances get amended. And  
18 they should be amended periodically to keep up with  
19 the times, you know, the things that are changing,  
20 because right now they are discussing everything and  
21 trying to figure out what sounds good. And it looks  
22 good on paper; but in a year we might decide, boy,  
23 that really didn't work out. Then they can go back  
24 and they can adjust it.

1 UNIDENTIFIED PERSON: I don't know how you  
2 ever figure out 60 percent.

3 CHAIRPERSON TIMMERMAN: Well, that's set by  
4 an appraisal by the County auditor. I get it.

5 UNIDENTIFIED PERSON: Well, I think you're  
6 going to get into more legal trouble at that point.  
7 Well, wait a second. I've got, you know -- I'm only  
8 52 percent. I think --

9 MS. LAND: The auditor makes the  
10 determination of valuation based on if something is  
11 damaged for taxes; and that's what they use. But,  
12 again, that's one of those things people argue about.  
13 100 is pretty clear.

14 CHAIRPERSON TIMMERMAN: It is clear.

15 Darrin, I'm pointing back at you because you  
16 said keep it.

17 MR. REHUS: I still think 60.

18 CHAIRPERSON TIMMERMAN: You still think 60.

19 MR. REHUS: I say keep it.

20 MS. PARGEON: Well, if the building is  
21 salvageable, you know, the other half isn't destroyed  
22 or whatever, then I would say keep it and build onto  
23 it.

24 UNIDENTIFIED PERSON: Let's say a wind

1 turbine blade fell on your garage.

2 CHAIRPERSON TIMMERMAN: It's probably only  
3 60 percent.

4 MS. PARGEON: Yeah. Yeah. It will only be  
5 60 percent.

6 MS. STACY: So the Hancock County auditor is  
7 going to be -- would need to weigh in on that.

8 MS. LAND: Yeah. They -- they make a  
9 determination for taxes for how much something is  
10 damaged; and your taxes are reduced by the amount of  
11 the damage that you had during the time that it's  
12 storm damage or fire damage or earthquakes or  
13 whatever, you know.

14 CHAIRPERSON TIMMERMAN: Yep.

15 MS. LAND: It seems to be a big thing around  
16 Ohio. They keep having them in northeast Ohio. So --

17 CHAIRPERSON TIMMERMAN: Deb, do you have a  
18 vote on that?

19 MS. LAND: If you keep it at 60 percent and  
20 it comes along that there is a real issue with feeling  
21 like how you can get it determined, that's one of  
22 those things you can revisit and decide it's not worth  
23 the hassle we have with people about the 60 percent  
24 and change it to zero percent, absolutely nothing,

1 you know. As long as they have -- they were there,  
2 okay, it doesn't matter how much is left. It's zero  
3 percent. If it's 100 percent destroyed, they can  
4 still come back.

5 It's up to you guys, but this is what was in  
6 before.

7 MR. CORDONNIER: I'll say anything in  
8 this -- This is the 60 percent, the 75 percent. It is  
9 difficult to -- to -- Is the building destroyed 60  
10 percent or 70 percent?

11 MS. STACY: Right.

12 MR. CORDONNIER: I know during the flood,  
13 flood-damaged homes were required to submit an  
14 estimate from a contractor; and that's -- and that  
15 estimate to repair the home is what was used to  
16 determine if it was over 50 percent damaged in the  
17 city of Findlay.

18 But this is a pretty standard type language.  
19 So I just want to let you know, like, this isn't the  
20 first time. Like, this is pretty standard. Whether  
21 it's 60, 75, whatever you choose, I don't have any  
22 strong feelings about -- Whatever you choose, it  
23 doesn't give me heartburn either way.

24 CHAIRPERSON TIMMERMAN: I was okay with the

1 60. Are you okay with the 60?

2 MR. REHUS: Yes.

3 CHAIRPERSON TIMMERMAN: You're still okay  
4 with 60? We'll just keep it for right now. Is  
5 everybody --

6 MS. PARGEON: Yes. Yes.

7 C: Should such structure be removed for any  
8 reason, for any distance whatever, it shall thereafter  
9 conform to the regulations for the district for which  
10 it is located after it is moved.

11 Okay. D: Nonconforming uses of structures  
12 and land.

13 If a lawful use of a structure, or of a  
14 structure and land in combination, exists at the  
15 effective date of adoption or amendment of this  
16 resolution that would not be permitted in the district  
17 under the terms of this resolution, the lawful use may  
18 be continued so long as it remains otherwise lawful  
19 subject to the following provisions:

20 A: No existing structure devoted to a use  
21 not permitted by this resolution in the district in  
22 which it is located shall be enlarged, extended,  
23 constructed, reconstructed, moved or structurally  
24 altered except in changing the use of the structure to

1 a use permitted in the district in which it is  
2 located.

3 B: Any nonconforming use may be extended  
4 throughout any parts of a building which were  
5 manifestly arranged or designed for such use and which  
6 existed at the time of adoption of the amendment of  
7 this resolution, but no such use shall be extended to  
8 occupy any land outside such building.

9 C: If no structural alterations are made,  
10 any nonconforming use of a structure or structures and  
11 land in combination may be changed to another  
12 nonconforming use of the same or a more restrictive  
13 classification provided that the Board of Zoning  
14 Appeals, either by general rule or by making findings  
15 in the specific case, shall find that the proposed use  
16 is equally appropriate and more appropriate to the  
17 district than the existing nonconforming use. In  
18 permitting such change, the Board of Zoning Appeals  
19 may require conditions and safeguards in accord with  
20 the purpose and intent of this resolution. Where a  
21 nonconforming use of a structure, land or structure  
22 and land in combination is hereafter changed to a more  
23 conforming use, it shall not thereafter be changed to  
24 a less conforming use.



1 D:

2 MS. LAND: Anybody have any -- That was kind  
3 of a busy paragraph.

4 MS. PARGEON: Very much.

5 MS. STACY: It's wordy.

6 MS. PARGEON: D: Any structure or structure  
7 and land in combination in or on which nonconforming  
8 use is superseded by the permitted use shall  
9 thereafter conform to the regulations of the district  
10 in which such structure is located, and the  
11 nonconforming use may not thereafter be resumed.

12 MS. LAND: Wait a minute. Okay.

13 MS. PARGEON: E: When a nonconforming use  
14 of a structure or structures and land in combination  
15 is discontinued or ceases to exist for two years, the  
16 structure or structure and land in combination shall  
17 not thereafter be used except in conformance with the  
18 regulations of the district in which it is located.  
19 Structures occupied by seasonal uses shall be excepted  
20 from this provision.

21 CHAIRPERSON TIMMERMAN: The two years is the  
22 minimum? Is that what you guys were saying earlier?

23 MS. LAND: Yeah.

24 MS. PARGEON: F: Mobile homes occupied on

1 the effective date of this resolution may be replaced  
2 by a mobile home of not less floor area than the  
3 original mobile home provided yard setbacks  
4 appropriate to the district are maintained.

5 MS. LAND: With our definitions of mobile  
6 and manufactured homes, we probably ought to change  
7 that to mobile/manufactured.

8 MS. PARGEON: I agree with that.

9 MS. STACY: Didn't we have something about  
10 it wasn't supposed to be older than --

11 MS. PARGEON: Five years old.

12 MS. STACY: Is that new to the --

13 MS. PARGEON: Well, if you replace it, you  
14 would want a new one. You wouldn't want a --

15 MS. LAND: You never know.

16 I will go through and make the changes in  
17 the book for every place it says mobile home to say  
18 mobile/manufactured -- mobile/manufactured homes.

19 MS. PARGEON: Well, I have a manufactured  
20 home.

21 MS. LAND: The definition of manufactured  
22 home and mobile home are the same except for the time  
23 when they were built. The older ones are mobile.  
24 Anything past -- what was the date? -- 1975 or

1 something like that --

2 CHAIRPERSON TIMMERMAN: I thought it was in  
3 the 80's.

4 MS. LAND: I don't remember.

5 -- it's considered a manufactured home.

6 MS. PARGEON: Because mine is on a concrete  
7 cement block.

8 MS. LAND: It had a chassis and wheels at  
9 one point?

10 MS. PARGEON: To bring it over.

11 MS. LAND: Okay. So that's manufactured.

12 And then the ones that come in and are stick built and  
13 come in on a flatbed are modular.

14 MS. PARGEON: Yes.

15 MS. LAND: That's what our definitions have.

16 MS. PARGEON: Should we stick modular in  
17 there?

18 MS. LAND: Modular homes have to be treated  
19 the same as any stick-built home on the --

20 MS. PARGEON: Okay.

21 MS. LAND: -- property.

22 MR. CORDONNIER: It probably will never come  
23 up; but E, I don't -- structures occupied by seasonal  
24 uses shall be exempt -- seasons happen every year. I

1 mean, if you don't -- I'm just saying if you don't use  
2 it, whether it's a vacation home, you didn't use it  
3 for two, so it's been vacant, it's still two years.  
4 Or if it's a greenhouse, you're still skipping two  
5 years. So I would personally just strike that  
6 seasonal structure exemption.

7 MS. STACY: Okay.

8 MR. CORDONNIER: C. I still -- I haven't  
9 digested C.

10 CHAIRPERSON TIMMERMAN: Yeah. Here is what  
11 I was looking for. There is a section of Revised Code  
12 about permanently sited manufactured homes. It became  
13 effective in 1999.

14 Except as provided in Division B of this  
15 section, which has some -- how a manufactured home is  
16 permanently sited, do not confer any power on Township  
17 Zoning Commission, Board of Township Trustee or Board  
18 of Zoning Appeals the authority to prohibit or  
19 restrict the location of a permanently sited  
20 manufactured home as defined in Division C-6 of  
21 Section 3781.06, which is what we used.

22 So when we get down to mobile homes, we're  
23 going to have to remember some of this stuff. Okay?  
24 It makes a difference, which makes me wonder about F,

1 if we're allowed to even have that. I think we should  
2 say mobile or manufactured homes not sited on the  
3 permanent site.

4 MS. PARGEON: Uh-huh. Okay.

5 CHAIRPERSON TIMMERMAN: [Unintelligible].

6 MR. CORDONNIER: I think I know -- I think I  
7 understand the intent of that, at least the last part  
8 of it. If you have a nonconforming use and it gets --  
9 the BZA allows it to go to a less conforming -- or a  
10 more -- a more conforming --

11 MS. LAND: A less nonconforming use.

12 MR. CORDONNIER: Yeah. You can't go back.  
13 You can't go back.

14 MS. STACY: Right.

15 MS. LAND: But the question is, do you want  
16 to have it be able to morph into other nonconforming  
17 uses? What's a less nonconforming use?

18 MS. STACY: That's true.

19 MS. PARGEON: [Unintelligible].

20 MS. LAND: Well, if it's a business maybe  
21 and it goes into a multifamily in a residential area,  
22 it's still residential, but it's not nonconforming,  
23 but it's less nonconforming than a business use.  
24 That's a really weird, slippery slope for you guys to

1 make a determination on. You know, it either stays  
2 what it is, or it goes to nonconforming is another  
3 option instead of this in between section you have  
4 here.

5 MR. CORDONNIER: I just -- Do all the  
6 townships have BZA?

7 MS. LAND: Uh-huh.

8 MR. CORDONNIER: Okay. I'm just dealing  
9 with some of the villages. They just have a really  
10 hard time keeping boards.

11 MS. LAND: Oh, yeah. We do too. It's a  
12 dangerous thing to do these days.

13 MR. CORDONNIER: Just sometimes they don't  
14 meet for three years; and then all of a sudden, they  
15 have a need to meet.

16 MS. LAND: I tried to encourage the  
17 townships to have -- Even if they don't have anything  
18 in front of them, the zoning commission, the BZA at  
19 least have an organizational meeting each year, get an  
20 update from the zoning inspector on what's been going  
21 on in the past year, and, you know, stay a little  
22 fresh on what's going on; but some of them, you know,  
23 they don't -- they don't meet for years. There's  
24 nothing that comes before them.

1 MR. CORDONNIER: [Unintelligible].

2 MS. LAND: Yeah.

3 CHAIRPERSON TIMMERMAN: Do you want to  
4 change C then?

5 MS. LAND: Do you want to keep C, or do you  
6 want to --

7 CHAIRPERSON TIMMERMAN: I would almost tend  
8 to go towards if it's -- if it's changing from  
9 nonconforming, you'd have to go to conforming for  
10 simplicity.

11 MR. CORDONNIER: I'm of the opinion -- I  
12 mean, I like the flexibility; and the Board gets to  
13 make the decision.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MR. CORDONNIER: Sometimes just black and  
16 white doesn't -- Black and white doesn't always  
17 anticipate --

18 CHAIRPERSON TIMMERMAN: Sure.

19 MR. CORDONNIER: -- that everyone is in  
20 favor of it; but we don't have the method, you know.

21 CHAIRPERSON TIMMERMAN: Right. Right.

22 MR. CORDONNIER: That's -- that's the  
23 converse of that.

24 CHAIRPERSON TIMMERMAN: Yeah. I think the

1 flexibility is good. I was looking at it from the  
2 stance that it took you reading through it to, like,  
3 say what is the intent here.

4 MR. CORDONNIER: It's written poorly. We  
5 can definitely rewrite it.

6 MS. LAND: Flexibility is good; but once you  
7 have something that gives you a subjective decision,  
8 you got to be very cautious that you set a standard  
9 that you stay by --

10 CHAIRPERSON TIMMERMAN: Right.

11 MS. LAND: -- because otherwise you have the  
12 potential for being accused of being arbitrary and  
13 then not treating everybody in the same manner.

14 It's -- it's a real easy thing to fall into,  
15 because everybody that comes in front of you is going  
16 to have a different kind of situation, and you'll  
17 evaluate them differently; but, you know, the one who  
18 gets a no will not see it that way.

19 So keep that in mind if that's the approach  
20 you want to take. Clearly, it's what the last group  
21 thought was a good idea because it was already in  
22 here, so --

23 MS. PARGEON: Leave it in there. Leave it.

24 CHAIRPERSON TIMMERMAN: Leave it. Keep it.



1 MS. STACY: If we can rewrite it, we can try  
2 to make it a little more --

3 CHAIRPERSON TIMMERMAN: Okay.

4 MR. CORDONNIER: That's my -- I have to get  
5 my seventh grader up to Perrysburg for basketball  
6 practice. Sorry for --

7 MS. PARGEON: Thank you for coming and  
8 giving us the time you have given us.

9 MS. LAND: The PUD stuff was invaluable.  
10 Thank you.

11 I'm trying to color code my notes here. I'm  
12 going to turn this stuff green, which means I need to  
13 go in and figure out how to rewrite it.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: Just shortening down those  
16 sentences will be a good thing.

17 CHAIRPERSON TIMMERMAN: You good?

18 MS. LAND: Oh, yeah. Yeah.

19 CHAIRPERSON TIMMERMAN: Okay. No. 4:  
20 Change of tenancy.

21 MS. PARGEON: Change of tenancy or  
22 ownership.

23 There may be a change of tenancy, ownership  
24 or management of any existing nonconforming use of

1 land, of structures or of structures and land in  
2 combination.

3 Section 1503. Accessory buildings and uses.

4 Accessory buildings and uses, except as  
5 otherwise permitted in this resolution, shall be  
6 subject to the following regulations:

7 1: Where the accessory building is  
8 structurally attached to a main building, it shall be  
9 subject to and must conform to all regulations of this  
10 resolution applicable to the main building.

11 2: Accessory buildings and uses shall not  
12 be erected in any minimum side yard setback, nor in  
13 any front yard unless otherwise provided in this  
14 resolution.

15 3: An accessory building shall not occupy  
16 more than 25 percent of a required rear yard provided  
17 that in a residential district the accessory building  
18 shall not exceed the ground floor area of the main  
19 building, nor shall accessory buildings be located  
20 closer than 5 feet to both the rear lot line and the  
21 side lot lines.

22 MS. LAND: Okay. Stop a minute here.

23 MS. PARGEON: Okay.

24 MS. LAND: Nor shall any accessory buildings

1 be located closer than 5 feet to both the rear lot  
2 line and the side lot lines.

3 You have setback lines already.

4 MS. PARGEON: Yeah.

5 MS. LAND: So I'm not sure how this 5 feet  
6 works here.

7 MS. PARGEON: More than 25 -- Yeah.

8 CHAIRPERSON TIMMERMAN: Point No. 2:  
9 Accessory buildings and uses shall not be erected in  
10 any minimum side yard setback, nor any front yard  
11 unless otherwise provided in this resolution.

12 What happens in the scenario where a house  
13 is located very far back on their property?

14 MS. LAND: Still.

15 CHAIRPERSON TIMMERMAN: I understand in that  
16 scenario, but is that something that could we remove  
17 that front yard thing?

18 MS. LAND: You don't want to do that.

19 CHAIRPERSON TIMMERMAN: You don't want to do  
20 that?

21 MS. LAND: No. No.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: You can if you want to, but --

24 CHAIRPERSON TIMMERMAN: In general, you

1 don't want to?

2 MS. LAND: -- start thinking about the  
3 scenarios that could happen if he can put accessory  
4 buildings in the front yard.

5 CHAIRPERSON TIMMERMAN: I don't disagree. I  
6 know a guy that has a house way at the back of the  
7 property. He wants to put up a building. So it would  
8 be a scenario where he would --

9 MS. LAND: He would have to ask for an area  
10 variance then to be able to put it in an area where it  
11 wouldn't normally be allowed.

12 CHAIRPERSON TIMMERMAN: Okay. So it's  
13 still --

14 MS. LAND: Did he build his house?

15 CHAIRPERSON TIMMERMAN: Him personally, no.

16 MS. LAND: He bought it built?

17 CHAIRPERSON TIMMERMAN: Yeah.

18 MS. LAND: Okay. If he built the house and  
19 put it so far back that there's no room in the back  
20 and then comes for an area variance to put it in the  
21 front, then you have a problem finding an ability to  
22 give a variance because he created that problem  
23 himself.

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: But if it's already built and  
2 this is where it is on the lot, he didn't create that  
3 problem, but the problem exists, and it's for him. So  
4 there is an option to look at that. I don't know that  
5 that's a --

6 CHAIRPERSON TIMMERMAN: [Unintelligible].

7 MS. LAND: -- great approach.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. PARGEON: No. 4: No detached accessory  
10 building shall be located closer than 10 feet to any  
11 main building.

12 5: No detached accessory building in an  
13 R-1, R-2, or an RM-1 district shall exceed one story  
14 of 14 feet in height, nor exceed the height of the  
15 main building on the premises.

16 MS. LAND: Okay. The R-2 needs to come out  
17 because we don't have that anymore.

18 MS. PARGEON: Okay. Accessory buildings in  
19 all other districts may be constructed to equal the  
20 permitted maximum height of structures in said  
21 districts subject to zoning commission review and  
22 approval if the building exceeds one story or 14 feet  
23 in height.

24 6: When an accessory building is located on

1 a corner lot, the side lot line of which is  
2 substantially a continuation of the front lot line,  
3 yeah, of the lot to its rear, said building shall not  
4 project beyond the front yard setback required on the  
5 lot to the rear of such corner lot. In no instance  
6 shall an accessory building be located nearer than 10  
7 feet to a street right-of-way line.

8 7.

9 MS. LAND: We're, again, looking at setbacks  
10 that are closer for accessory buildings to lot lines  
11 than we had for -- for the houses. Do you want to  
12 leave them at 5 feet and at 10 feet?

13 MS. PARGEON: Yeah, because you don't want  
14 it closer.

15 CHAIRPERSON TIMMERMAN: Yes, that is closer.

16 MS. LAND: It is way closer. In a  
17 residential district, we have --

18 CHAIRPERSON TIMMERMAN: 12 feet.

19 MS. LAND: 12 feet on the sides, yeah, 35 on  
20 the rear.

21 If somebody has a shed or a small garage,  
22 you don't want it 35 feet off the back. They might  
23 want to put it in the back corner of their lot.

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: So I mean, you can have a smaller  
2 setback for accessory buildings if you want. The  
3 question is, is five and ten what you want? Five is  
4 pretty small when you're looking at beside a building.

5 MS. STACY: Yeah.

6 CHAIRPERSON TIMMERMAN: So is five going up  
7 to Section 3 there? Is that what you're looking at?

8 MS. LAND: Yes. I know in Marion Township  
9 that's 10 feet there.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: And that's just I know because I  
12 live there, and that's what I had to worry about.

13 So you can alter it to be ten, seven. Less  
14 than five seems kind of crazy, not the way to make  
15 good neighbors by putting your shed right on the lot  
16 line.

17 CHAIRPERSON TIMMERMAN: I think ten seems  
18 reasonable.

19 MS. PARGEON: Yeah.

20 MS. LAND: Is that the consensus, then?  
21 Change it to ten?

22 MR. REHUS: Yes.

23 CHAIRPERSON TIMMERMAN: And that's for  
24 No. 3?

1 MS. LAND: Yes.

2 CHAIRPERSON TIMMERMAN: No. 6. Does ten  
3 still make sense to the street?

4 MS. LAND: Yes, I think.

5 CHAIRPERSON TIMMERMAN: It's the same  
6 scenario.

7 MS. PARGEON: Ready for No. 7?

8 The parking of a mobile home for periods  
9 exceeding 24 hours on lands not approved for mobile  
10 home parks shall be expressly prohibited except that  
11 the zoning inspector may extend temporary permits  
12 allowing the parking of a mobile home in a rear yard  
13 on private property not to exceed a period of two  
14 weeks. The parking and/or storage of campers,  
15 recreational vehicles, boats or boat trailers and  
16 other mobile recreational apparatus shall be in  
17 accordance with and respect all requirements  
18 applicable to accessory structures insofar as distance  
19 from principal structures, lot lines and easements are  
20 concerned. All trailer vehicles parked or stored  
21 shall not be connected to sanitary facilities and  
22 shall not be occupied.

23 MS. LAND: Okay. Let's -- let's pick apart  
24 this No. 7 a little bit here.



1 MS. PARGEON: Well, if one comes in and  
2 can't be set up right then, you're going to have to  
3 sit somewhere.

4 MS. LAND: You guys okay with these  
5 provisions, or do you have a question about it?

6 MS. PARGEON: If it's in the country, leave  
7 it set. If your home is in the country --

8 MS. LAND: So you like the two-week limit?

9 CHAIRPERSON TIMMERMAN: I mean, to me you  
10 should be able to plan like when you're bringing it in  
11 within two weeks. I think two weeks is -- I wouldn't  
12 want to go more than two weeks I don't think.

13 MS. LAND: I think where -- After two weeks  
14 I think we need to switch that to be a new paragraph.

15 We have it's parking of mobile homes for a  
16 period of, you know, exceeding 24 hours, blah, blah,  
17 blah. I think --

18 My automatic number is making everything  
19 seven now. How weird.

20 Then the next one is about parking and  
21 storage of campers and recreational vehicles, and I  
22 think it's a different concept there than a mobile  
23 home that's come in and not been set up there.

24 CHAIRPERSON TIMMERMAN: You're saying No. 8

1 there?

2 MS. LAND: Yes.

3 CHAIRPERSON TIMMERMAN: Everybody else good  
4 with the two weeks?

5 MR. REHUS: Yes.

6 MS. PARGEON: Yes.

7 MS. STACY: So 8 would start with --

8 MS. LAND: The parking and/or storage of  
9 campers.

10 Do you want to have anything about the  
11 storage and parking, where they can be stored on the  
12 lots? You don't want them stored --

13 Oh, no. It's fine. It's applicable to  
14 accessory structures, so they're not going to have  
15 them in the front yard.

16 You know, it's not a big deal to have  
17 somebody pull in a mobile home or a motor home into  
18 their driveway; but if it sits there all winter or all  
19 summer, it starts to really annoy neighbors. I don't  
20 know why, but it does.

21 So it's something that you guys have to --  
22 because you'll get complaints about it being there  
23 unless you have some rule that says this is where it  
24 is allowed or isn't allowed. That's why it has to be

1 addressed.

2 Ready to go on to off-street parking?

3 CHAIRPERSON TIMMERMAN: I think so.

4 MS. PARGEON: Want to go ahead and read?

5 CHAIRPERSON TIMMERMAN: Not really. Sure.

6 MS. PARGEON: Oh, Okay.

7 Section 1504. Off-street parking  
8 requirements.

9 There shall be provided in all districts, at  
10 the time of erection or enlargement of any main  
11 building or structure, automobile off-street parking  
12 space with adjacent access -- adequate access to all  
13 spaces. The number of off-street parking spaces, in  
14 conjunction with all land or building uses, shall be  
15 provided prior to the instance -- What?

16 MS. LAND: Issuance.

17 MS. PARGEON: -- issuance of a --

18 MS. LAND: Certificate of Occupancy.

19 MS. STACY: You're getting tired.

20 MS. PARGEON: I'm getting tired. You read.

21 CHAIRPERSON TIMMERMAN: I'll read.

22 -- prior to the issuance of a Certificate of  
23 Occupancy as hereinafter prescribed.

24 No. 1: Off-street parking spaces may be

1 located within a rear yard or within a side yard which  
2 is in excess of the minimum side yard setback unless  
3 otherwise provided in this resolution. Off-street  
4 parking shall not be permitted within a front yard or  
5 a side yard setback unless otherwise provided in this  
6 resolution.

7 No. 2.

8 MS. LAND: And that's -- and that's  
9 referencing the part of the chart that we had where  
10 they -- In some of the business areas, they say they  
11 can have parking in the front yards, they can have  
12 parking in some of the side yards and in the  
13 multifamily.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: Part of why I bring this stuff up  
16 is because you guys need to know this book inside and  
17 out, and so --

18 MS. PARGEON: We appreciate it.

19 MS. LAND: Teaching moments.

20 MS. PARGEON: Good.

21 CHAIRPERSON TIMMERMAN: No. 2: Off-street  
22 parking for other than residential use shall be either  
23 on the same lot or within 300 feet of the building it  
24 is intended to serve, measured from the nearest point

1 of the building to the nearest point of the off-street  
2 parking lot. Ownership shall be shown of all lots or  
3 parcels intended for use -- for use as parking by the  
4 applicant.

5 No. 3: Required residential off-street  
6 parking spaces shall consist of a parking -- a parking  
7 stripe --

8 MS. STACY: Stripe.

9 MS. LAND: -- parking bay, driveway, garage  
10 or combination thereof.

11 It means you have to mark them. They can't  
12 have open gravel lots. They want them to be marked.

13 CHAIRPERSON TIMMERMAN: Got you.

14 -- parking bay, driveway, garage or  
15 combination thereof and shall be located on the  
16 premises they are intended to serve and subject to the  
17 provisions of Section 1503, Accessory Buildings, of  
18 this resolution. Okay.

19 Any area once designated as required  
20 off-street parking shall never be changed to any other  
21 use unless -- unless and until equal facilities are  
22 provided elsewhere.

23 No. 5: Off-street parking existing at the  
24 effective date of this resolution in connection with

1 the operation of an existing building or use shall not  
2 be reduced to an amount less than hereinafter required  
3 for a similar new building or new use.

4 No. 6: Two or more buildings or uses may  
5 collectively provide the required off-street parking  
6 in which case the required number of parking spaces  
7 shall not be less than the sum of the requirements for  
8 the several -- several individual uses computed  
9 separately.

10 No. 7: In the instance of dual function of  
11 off-street parking spaces where operating hours of  
12 buildings do not overlap, the Board of Zoning Appeals  
13 may grand an exception.

14 No. 8: The storage of merchandise, motor  
15 vehicles for sale, trucks or the repair of vehicles is  
16 prohibited.

17 No. 9: For those uses not specifically  
18 mentioned, the requirements for off-street parking  
19 facilities shall be in accord with a use zone -- a use  
20 which the Zoning Commission considers similar in type.

21 No. 10: The minimum number of off-street  
22 parking spaces by type of use shall be determined in  
23 accordance with the following schedule.

24 A: Residential.

1           No. 1: Residential. One-family, two-family  
2 or multiple family: Two for each dwelling unit.

3           No. 2: Housing for the elderly. One for  
4 each two units and one for each employee, should units  
5 revert to general occupancy, then two spaces per unit  
6 shall be provided.

7           No. 3: Mobile home park. Two for each  
8 mobile home site and one for each employee of the  
9 mobile home park.

10           MS. STACY: This is, like, standard  
11 language?

12           MS. LAND: It is just sort of formulas for  
13 what's standard that is required. Otherwise, you can  
14 end up with a Wal-Mart with 15 parking spots, you  
15 know. That could be a problem. They're taking up  
16 spaces elsewhere to be able to come to downtown  
17 Findlay, not enough parking.

18           CHAIRPERSON TIMMERMAN: All right. Letter  
19 B: Institutional.

20           Churches. One for each three seats or  
21 6 feet of pews in the main unit of worship.

22           No. 2: Hospitals. Two-and-one-half for  
23 each one bed.

24           No. 3: Homes for the aged and convalescent

1 homes. One for each four beds.

2 No. 4: Private clubs or lodge halls. One  
3 for each three persons allowed within the maximum  
4 occupancy load as established by a local, county or  
5 state fire, building or health codes.

6 No 5: Private swimming pool, clubs, tennis  
7 clubs or other similar uses. One for each 75 square  
8 feet of water area and three spaces per tennis court.

9 No. 6: Golf courses except miniature or  
10 Par 3 courses. Six for each one golf hole and one for  
11 each one employee, plus spaces required for each  
12 accessory use, such as a restaurant or bar.

13 No. 7: Stadium, sport arena or similar  
14 places of outdoor assembly. One for each three seats  
15 or 6 feet of benches.

16 No. 8: Theaters and auditoriums. One for  
17 each three seats, plus one for each two employees.

18 Did you want to say something?

19 MS. STACY: No. I was just saying eww.

20 MS. PARGEON: Figuring out the parking  
21 spaces, isn't it something how they do that?

22 MS. LAND: Everything needs to be touched.

23 CHAIRPERSON TIMMERMAN: C: Business and  
24 commercial.



1           Planned commercial or shopping centers. One  
2 for each 200 square feet of floor area.

3           No. 2: Auto wash, automatic. One for each  
4 one employee. In addition, reservoir -- reservoir  
5 parking spaces equal to -- equal in number to five  
6 times the maximum capacity of the auto wash. Maximum  
7 capacity of the auto wash shall mean the greatest  
8 number of automobiles possible undergoing some phase  
9 of washing at the same time, which shall be determined  
10 by dividing the length and feet of each wash line by  
11 20.

12           No. 3: Auto wash, self-service or coin  
13 operated.

14           MS. LAND: Yep. The thing is, these seem  
15 kind of cumbersome; but when somebody comes in with a  
16 site plan that's drawn up by an engineer, these things  
17 are already in there. That's how they --

18           MS. STACY: Okay.

19           MS. LAND: It's just sort of standard. It's  
20 boring to have it; but you need to double check it,  
21 and you need to have your standard, your minimums.

22           MS. PARGEON: Make sure you have enough  
23 parking space for everybody.

24           CHAIRPERSON TIMMERMAN: No. 3: Auto wash,

1 self-service or coin operated. Three for each washing  
2 stall in addition to the stall itself.

3 4: Beauty parlor or barbershop.

4 MS. LAND: Do they call them beauty parlors  
5 anymore?

6 MS. STACY: No, I don't think so. Salons.  
7 I think salon.

8 MS. LAND: Take out beauty parlor and make  
9 it salon.

10 MS. STACY: Yeah, I think so. I know. I  
11 know.

12 CHAIRPERSON TIMMERMAN: [Unintelligible] my  
13 world.

14 All right. Beauty salon or barbershop.  
15 Three spaces for each of the --

16 MS. LAND: I think we're taking out beauty  
17 too. It's just salon.

18 MS. STACY: Yeah. Yeah. I mean --

19 CHAIRPERSON TIMMERMAN: Okay. Three spaces  
20 for each of the first two beauty or barber chairs.

21 MS. STACY: Salon or barber.

22 MS. PARGEON: Yeah.

23 CHAIRPERSON TIMMERMAN: And one and one half  
24 spaces for each additional chair.

1 Good, Cindy?

2 MS. LAND: Yes.

3 CHAIRPERSON TIMMERMAN: No. 5: Bowling  
4 alleys. Five for each one bowling lane, plus  
5 accessory uses.

6 No. 6: Dance halls, pool or billiard  
7 parlors, roller or ice skating rinks, exhibition halls  
8 and assembly halls without fixed seats. One for each  
9 two persons allowed within the maximum occupancy load  
10 as established by local, county or state fire,  
11 building or health codes.

12 MS. LAND: Do you want to name these things,  
13 or do we want to find some term to cover them? Dance  
14 halls, are there any dance halls anywhere anymore and  
15 billiard parlors?

16 MS. PARGEON: If you want to go to the bars  
17 and shoot pool --

18 MS. LAND: How about assembly halls without  
19 fixed seats? Assembly -- I don't know what you want  
20 to call them. It's the fact that it's without fixed  
21 seats is the issue, I think. It's big open places.

22 MS. PARGEON: It's how many people can  
23 occupy the building, and they have to --

24 MS. LAND: And that's what --

1 MS. PARGEON: -- figure out the parking  
2 spaces.

3 CHAIRPERSON TIMMERMAN: So you're trying to  
4 come up with a phrase --

5 MS. STACY: Yeah.

6 MS. LAND: Something other than dance halls  
7 and -- Does that kind of take you back to Dodge City?

8 MS. PARGEON: Well, I could -- What? Two  
9 parking -- parking places for vehicles.

10 CHAIRPERSON TIMMERMAN: I don't know what  
11 you group them as.

12 MS. LAND: I think instead of calling them  
13 dance halls, pool or billiard parlors, roller or ice  
14 skating rinks, exhibition halls and assembly halls  
15 without fixed seating would have public assembly?

16 MS. PARGEON: Yeah. Public assembly would  
17 sound --

18 MS. STACY: Do we want the word halls?  
19 Public assembly halls without fixed seats maybe?

20 MS. PARGEON: Yes. That would sound a  
21 lot --

22 MS. LAND: If I think of something else, I  
23 might change it. It's one of these things I walk out  
24 and I ask the admin in my office, and they come up

1 with really good words that I can't come up with --

2 MS. STACY: Okay.

3 MS. LAND: -- and then give me pitying  
4 looks.

5 MS. PARGEON: Assembly halls without fixed  
6 seats. That would shorten it a lot.

7 CHAIRPERSON TIMMERMAN: Tell me when you're  
8 ready again.

9 MS. LAND: We're ready.

10 CHAIRPERSON TIMMERMAN: No. 7:

11 Establishment for sale or consumption on the premises  
12 of beverages, food or refreshments. One for each 100  
13 square feet of floor space.

14 No. 8: Furniture and appliance, household  
15 equipment, repair shops, showrooms of a plumber,  
16 decorator, electrician or similar trade, shoe repair  
17 and other similar uses. One for each 800 square feet  
18 of useable floor area. For that floor area used in  
19 processing, one additional space shall be provided for  
20 each two persons employed therein.

21 No. 9: Gasoline service stations. One for  
22 each 150 square feet of floor space.

23 10: Laundromats and coin-operated dry  
24 cleaners. One for each five washing and/or dry

1 cleaning machines.

2 11: Miniature -- it should be "or." It  
3 says "of." Miniature or Par 3 golf courses. Three  
4 for each one hole, plus one for each employee.

5 12: Mortuary establishments. One for each  
6 75 square feet of floor space.

7 13: We got motel, hotel or other commercial  
8 lodging establishments. One for each one occupancy  
9 unit, plus one for each one employee.

10 Are we keeping motel in there? Did we say  
11 something about removing the word "motel"?

12 MS. LAND: You may end up with motels.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. STACY: How would -- How about Airbnb's?

15 MS. LAND: That would be other commercial  
16 lodging establishments; but it's not, is it? An  
17 Airbnb wouldn't have to have, because that's just a  
18 residence.

19 MS. STACY: Right.

20 MS. LAND: It would be boarding houses, bed  
21 and breakfasts, things that don't fall into the  
22 category of hotel and motel, but still rent rooms.  
23 Airbnb is renting your whole house out; and you're not  
24 there, so you don't have to change your parking.

1 MS. PARGEON: Yeah.

2 MS. STACY: Okay.

3 MS. LAND: I think by saying other  
4 commercial lodging establishments, we're going to  
5 capture anything that might come along.

6 MS. PARGEON: Right. That makes sense.

7 CHAIRPERSON TIMMERMAN: No. 14: Motor  
8 vehicular sales and service establishments. One for  
9 each 400 square feet of floor space of sales room and  
10 one for each one auto service stall in the service  
11 room.

12 15: Retail stores except for -- except as  
13 otherwise specified herein. One for each 150 square  
14 feet of floor space.

15 D. Offices: No. 1: Banks. One for each  
16 150 square feet of floor space.

17 2:

18 MS. LAND: Do we -- do we want to check and  
19 see if this is still right for things like banks? We  
20 can just leave it. We'll -- If something comes in  
21 with numbers that are way different than that, then we  
22 can review it and question it; but I don't think a lot  
23 of -- some of the places that do most of their  
24 business now on-line have as much need for parking,

1 and they may be having those standards change a little  
2 bit. It's not that often you go to the bank and stand  
3 behind 20 people anymore. You walk in, it's deserted  
4 because everybody has done everything on-line. It's  
5 still the same concept here. Let's leave it for now  
6 and [unintelligible].

7 CHAIRPERSON TIMMERMAN: Who would have that  
8 standard? Who establishes that?

9 MS. LAND: I can talk to the engineer. I  
10 can ask him if he has any access to that.

11 CHAIRPERSON TIMMERMAN: Is that something  
12 that would be easy to change later?

13 MS. LAND: Uh-huh. Yes. It's also  
14 something that would be easy to make an exception,  
15 when somebody comes in with a site plan, if they have  
16 a good explanation for why they have actually only one  
17 for every 300 square feet. And you could always  
18 allow --

19 MS. PARGEON: So leave that office stuff as  
20 it is.

21 MS. LAND: I would leave it as is for now.

22 MS. PARGEON: Yeah.

23 CHAIRPERSON TIMMERMAN: 2: Business offices  
24 or professional offices except as indicated in the



1 following Item 3. Oh, okay.

2 One for each 200 square feet of floor space.

3 No. 3: Professional offices or doctors,  
4 dentists or similar professions. One for each 75  
5 square feet of floor space.

6 Under E, Industrial. No. 1: Industrial or  
7 research establishment and related accessory offices.  
8 Five plus one for every one-and-a-half employees in  
9 the largest working shift. Space on site shall also  
10 be provided for all construction workers during  
11 periods of plant construction.

12 No. 2: Warehouses and wholesale  
13 establishments and related accessory offices. Five  
14 plus one for every one employee in the largest working  
15 shift.

16 Section 1505. Off-street parking space  
17 layout, standards, construction and maintenance.

18 MS. STACY: You want me to read a little  
19 bit?

20 CHAIRPERSON TIMMERMAN: Sure.

21 MS. STACY: If I can get my glasses right.

22 Whenever the off-street parking requirements  
23 in Section 1504 above require the building of an  
24 off-street parking facility, such off-street parking

1 lots shall be laid out, constructed and maintained in  
2 accordance with the following standards and  
3 regulations.

4 No. 1: No parking lot shall be constructed  
5 unless and until a permit therefore is issued by the  
6 zoning inspector.

7 No. 2: Plans for the layout of off-street  
8 parking facilities shall be in accord with the  
9 following minimum requirements.

10 CHAIRPERSON TIMMERMAN: How do you read  
11 that?

12 MS. LAND: Hold on.

13 MS. STACY: So we have, like, a chart.

14 MS. LAND: What page is it on?

15 MS. STACY: 48.

16 CHAIRPERSON TIMMERMAN: 48.

17 MS. LAND: It did not translate well into  
18 my --

19 Oh, okay. I wouldn't get too worried about  
20 these. I think they are standards.

21 MS. STACY: Standard?

22 MS. PARGEON: Yes.

23 MS. STACY: Basically, you're talking about  
24 maneuvering lane width, parking space width, parking

1 space length.

2 MS. LAND: I can ask Doug if he has anything  
3 on those also.

4 MS. STACY: Okay. Jump to 3?

5 CHAIRPERSON TIMMERMAN: I did compare the  
6 table to Washington's before coming, and there's only  
7 two numbers I found different.

8 MS. LAND: Are they drastically different?

9 CHAIRPERSON TIMMERMAN: It's in the last two  
10 columns, so the total width of one tier of spaces,  
11 plus maneuvering lane. For the 54 to 75 degree, it's  
12 from 32-and-a-half feet to 36-and-a-half feet, so 4  
13 feet difference.

14 And then for the total width of two tiers of  
15 spaces, plus maneuvering lane, the last column for the  
16 30 to 53 degree pattern, it went from 50 to 52. So it  
17 went a 2 feet difference.

18 I wouldn't say drastically different, but 4  
19 feet in a parking lot is sometimes a huge  
20 difference --

21 MS. LAND: -- when you're trying to clear  
22 the car beside you.

23 I will see if there's any standard on this;  
24 and if there is, do you want to just go with what the

1 standard is?

2 MS. PARGEON: Yes.

3 MS. STACY: Sure.

4 CHAIRPERSON TIMMERMAN: I would.

5 MS. STACY: No. 3: All spaces shall be  
6 provided adequate access by means of maneuvering  
7 lanes. Backing directly onto a street shall be  
8 prohibited.

9 That would not be safe.

10 No. 4: Adequate ingress and egress to the  
11 parking lot by means of clearly limited and defined  
12 drives shall be provided for all vehicles.

13 Ingress and egress to a parking lot lying in  
14 an area zoned for other than single-family residential  
15 use.

16 MS. LAND: That's kind of nonsensical.

17 MS. STACY: Is that really -- Are we not  
18 kind of addressing that?

19 MS. LAND: That's like a phrase without  
20 any --

21 MS. PARGEON: Purpose?

22 MS. LAND: Yeah.

23 MS. STACY: So, basically, a means in and a  
24 means out from a parking lot other than single family.

1 MS. LAND: Yeah, but this is -- but that's  
2 not a whole sentence. It's a fragment of a sentence.

3 MS. STACY: Right. I agree. It's not a  
4 complete sentence.

5 MS. LAND: It's not a complete thought  
6 either. So what do you want to do?

7 MS. PARGEON: Is this at a hotel or some  
8 place where there's --

9 MS. STACY: Well, it says any area other  
10 than single-family residential. So it could apply to  
11 any uses.

12 MS. PARGEON: Yeah.

13 MS. LAND: I'm not seeing why it needs to be  
14 there at all.

15 MS. PARGEON: Yeah. An area zoned for other  
16 than single-family residential use, is that apartment  
17 houses where there's a bunch of families living?

18 MS. LAND: Well, they --

19 MS. STACY: Isn't that kind of already  
20 addressed in No. 4?

21 MS. PARGEON: Yeah.

22 MS. STACY: Adequate ingress and egress to  
23 the parking lot. There we go. The only qualifier  
24 disclaimer is single-family residential use. I don't

1 know.

2 MS. LAND: There's no need for parking lots  
3 in single-family residential areas. Well, if it's a  
4 single-family residential use, unless you have a lot  
5 of kids, including teenagers, I doubt that's going to  
6 be a huge problem often.

7 CHAIRPERSON TIMMERMAN: I'm not seeing how  
8 it applies.

9 MS. LAND: I think it's something that must  
10 have been not edited out the last time. Probably  
11 shouldn't be there.

12 MS. STACY: All right.

13 MS. LAND: It sounds like it's just an edit  
14 goof.

15 MS. PARGEON: Just take 4 out?

16 CHAIRPERSON TIMMERMAN: Well, now, the --

17 MS. PARGEON: The second, the ingress, the  
18 egress, the parking lot line in an area zoned other  
19 than single-family residential.

20 MS. LAND: But keep the top one.

21 MS. PARGEON: Yes. Yes, that I did.

22 MS. STACY: All right. No. 5: All  
23 maneuvering lane widths shall permit one-way traffic  
24 movement except that the 90 degree pattern may permit

1 two-way movement.

2 MS. LAND: Okay. You know, like the  
3 Wal-Mart on the west side of town over here, they have  
4 two-way traffic and they have angled parking; but it  
5 angles different directions, this way or this way.

6 CHAIRPERSON TIMMERMAN: Sure.

7 MS. LAND: That would -- that wouldn't be  
8 allowed here. The only way you're going to be able to  
9 have two-way traffic is if you have the 90 degree  
10 straight-in parking, not the angled parking.

11 MS. PARGEON: That's makes sense.

12 CHAIRPERSON TIMMERMAN: I mean, I've never  
13 designed a parking lot before. [Unintelligible].

14 MS. LAND: I really had no idea that there's  
15 so much involved with the parking lot. It seems  
16 simple.

17 MS. PARGEON: Used to be simple.

18 CHAIRPERSON TIMMERMAN: But clearly in that  
19 scenario, somebody decided that was a good idea.

20 MS. LAND: And that's -- that's fine. I  
21 mean, they would just have to -- It's fine to leave it  
22 that way. Just you wouldn't be able to have the  
23 angled parking with two-way between them. I don't  
24 know how many places want to have that. A lot of them

1 have the 90 degree --

2 CHAIRPERSON TIMMERMAN: Right.

3 MS. LAND: -- straight in.

4 I don't know if the -- I think the Wal-Mart  
5 parking lot does have the straight-in. It's the other  
6 stores in the plaza down farther. That parking lot  
7 over there by that shoe place, Encanto, they have the  
8 angled parking; and you can go either direction.

9 It's kind of confusing; and people always  
10 are going the wrong way, trying to turn into the wrong  
11 direction parking lot. You have to be coming this way  
12 to park on that side and going this way to park on  
13 that side; but they see one over here, so they try to  
14 go in. Maybe it's a good idea not to have that.

15 CHAIRPERSON TIMMERMAN: Sure.

16 MS. LAND: It's up to you guys. I'm just  
17 offering info. You guys decide what you want to do.

18 MS. STACY: I will say it's easier to park  
19 at Meijer's than it is at that particular Walmart over  
20 there. I think that's an accident ready to happen  
21 over there. That's my opinion.

22 CHAIRPERSON TIMMERMAN: Let's keep it then.

23 MS. STACY: No. 6: Each entrance and exit  
24 to and from any off-street parking lot located in an



1 area zoned other than single-family residential use  
2 shall be at least 25 feet distant from adjacent  
3 property located in any single-family residential  
4 district.

5 Okay. So we're talking about a parking lot  
6 that abuts a single-family residential district; and  
7 so we're doing -- giving you a 25-foot separation, and  
8 we want some separation?

9 CHAIRPERSON TIMMERMAN: Right.

10 MS. STACY: And I'm guessing 25 feet is  
11 standard.

12 CHAIRPERSON TIMMERMAN: Standard. Yes.

13 MS. STACY: No. 7: The off-street parking  
14 area shall be provided with a continuous and obscuring  
15 screening device of such composition as shall be  
16 determined by the zoning commission. This device  
17 shall be provided on all sides where the next zoning  
18 district is designated as a residential district.

19 What's the screening device? Screening I  
20 think like trees and shrubs?

21 MS. LAND: It can be a fence.

22 MS. STACY: A fence.

23 MS. PARGEON: That makes sense if a little  
24 kid gets away from somebody, escapes from the car.

1 MS. STACY: You want some buffer between a  
2 residential district and parking, and it sounds like  
3 it's high volume parking to me.

4 MS. PARGEON: Yeah.

5 MS. STACY: When you say -- Would it be  
6 anything other than a fence? Could we say fence  
7 obscuring --

8 MS. LAND: It could be --

9 MS. PARGEON: Trees?

10 MS. LAND: It could be pine trees. It could  
11 be arborvitae. It could be tall shrubs.

12 MS. STACY: Should we put fence and/or  
13 shrubs?

14 MS. LAND: We have a definition of screening  
15 that has all that in it.

16 MS. STACY: Okay. All right.

17 MS. LAND: So that would --

18 MS. STACY: We'll leave it.

19 MS. LAND: Yeah, go with that.

20 MS. STACY: All right. When a front yard  
21 setback is required, all land between said wall and  
22 the front property line or street right-of-way line  
23 shall be kept free from refuse and debris and shall be  
24 landscaped with deciduous shrubs, evergreen material,

1 and ornamental trees. The ground area shall be  
2 planted and kept in a lawn. All such landscaping and  
3 planting shall be maintained in a healthy growing  
4 condition, neat and orderly in appearance.

5 MS. PARGEON: That sounds good.

6 MS. STACY: 8: The entire parking area,  
7 including parking spaces and maneuvering lanes,  
8 required under this section shall be provided with  
9 asphaltic or concrete surfacing in accordance with  
10 specifications approved by the zoning commission. The  
11 parking area shall be surfaced within one year of the  
12 date the Certificate of Occupancy is issued.

13 And, again, it would make sense that you  
14 would want either concrete or asphalt on something  
15 that's a high volume parking area as opposed to  
16 gravel.

17 MS. LAND: Can I change that to asphalt  
18 instead of asphaltic?

19 MS. STACY: I know. Thank you.

20 MS. LAND: Asphaltic, that's weird.

21 MS. PARGEON: They tried different words.

22 MS. LAND: Somebody was trying to write like  
23 an attorney [unintelligible] .

24 MS. STACY: Okay. No. 9: All lighting used

1 to illuminate any off-street parking area shall be so  
2 installed as to be confined within and directed onto  
3 the parking area only.

4 Thank you and please.

5 10: The zoning commission, upon application  
6 by the property owner of the off-street parking area,  
7 may modify the yard or wall requirements where in  
8 unusual circumstances no good purpose would be served  
9 by compliance with the requirements of this section.

10 And that's -- that seems to gives a little  
11 bit of flexibility. It's not a needed --

12 CHAIRPERSON TIMMERMAN: There's only one  
13 section left of off-street. This is loading and  
14 unloading, I guess. So --

15 MS. STACY: This was just before --

16 CHAIRPERSON TIMMERMAN: [Unintelligible].

17 MS. STACY: Okay.

18 MS. PARGEON: Loading and unloading. Yes.

19 MS. STACY: Section 1506. Off-street  
20 loading and unloading.

21 On the same premises, with every building,  
22 structure or part thereof involving the receipt or  
23 distribution of vehicles or materials or merchandise,  
24 there shall be provided and maintained on the lot

1 adequate space for standing, loading and unloading in  
2 order to avoid undue interference with public use of  
3 dedicated rights-of-way. Such space shall be provided  
4 as follows.

5 That should be a capital S, right?

6 MS. PARGEON: Yes.

7 MS. STACY: No. 1: All spaces shall be  
8 provided as required in Article XIV, Schedule of  
9 Regulations, under minimum rear yards, Footnote K,  
10 except as hereinafter provided for industrial  
11 districts.

12 MS. LAND: That Article XIV, Schedule of  
13 Regulations, is that the chart that had all the rear  
14 and side and back setbacks.

15 And Footnote K is the one that discussed  
16 where loading zones could be with regards to some of  
17 the backyards and side yards and exceptions.

18 MS. STACY: No. 2: Within an industrial  
19 district, all spaces shall be laid out in the  
20 dimension of at least 10-by-50 feet, or 500 square  
21 feet in area, with a clearance of at least 14 feet in  
22 height. Loading dock approaches shall be provided  
23 with a paid -- with a pavement having a ductless  
24 surface. All spaces in I-1 and I-2 districts shall be

1 provided in the following ratio of spaces to floor  
2 area.

3 Okay. So then we have a bunch of numbers.  
4 So, again, is this standard --

5 MS. LAND: Probably.

6 MS. STACY: -- language?

7 MS. LAND: We can -- John, do you want to  
8 look in some of the other ones and see if they have  
9 the same [unintelligible].

10 CHAIRPERSON TIMMERMAN: It's the exact same  
11 from Washington.

12 MS. LAND: Okay.

13 MS. STACY: Okay. No. 3. Or did you --

14 CHAIRPERSON TIMMERMAN: Go for it.

15 MS. STACY: All loading and unloading in an  
16 industrial district shall be provided off street in  
17 the rear yard or interior side yard and shall in no  
18 instance be permitted in a front yard. In those  
19 instances where exterior side yards have a common  
20 relationship with an industrial district across a  
21 public thoroughfare, loading and unloading may take  
22 place in said exterior side yard when the setback is  
23 equal to at least 40 feet.

24 MS. LAND: Changing thoroughfare to

1 road/street.

2 MS. STACY: There you go.

3 CHAIRPERSON TIMMERMAN: We are currently at  
4 7:05; and that is the end of the off-street parking  
5 and loading and unloading stuff, I think. The next  
6 section is uses not otherwise included within a  
7 specified -- a specific use district, so I think --

8 MS. LAND: That's going to take some  
9 conversation and discussion.

10 CHAIRPERSON TIMMERMAN: Right. This is a  
11 reasonable stopping place?

12 MS. LAND: Probably, yes.

13 MS. PARGEON: What time you got?

14 CHAIRPERSON TIMMERMAN: It was 7:05.

15 MS. PARGEON: Good enough.

16 CHAIRPERSON TIMMERMAN: We'll open the floor  
17 to any questions, comments, concerns.

18 UNIDENTIFIED PERSON: Just to say I know  
19 it's painful, but you guys are only going through it  
20 once.

21 CHAIRPERSON TIMMERMAN: It's painful for you  
22 or for us?

23 UNIDENTIFIED PERSON: For everybody.

24 MS. STACY: Just painful.

1 CHAIRPERSON TIMMERMAN: We're getting there.  
2 MS. PARGEON: But we're doing it legally.  
3 MS. STACY: It is necessary.  
4 CHAIRPERSON TIMMERMAN: Anybody else?  
5 UNIDENTIFIED PERSON: I'm concerned that  
6 this parking section is long. It was a little long  
7 for like --  
8 MS. STACY: It's like I -- I can't think  
9 that in many instances that we're going to have --  
10 UNIDENTIFIED PERSON: That much parking?  
11 MS. STACY: But you have to have it --  
12 CHAIRPERSON TIMMERMAN: Yep.  
13 MS. STACY: -- yes, to address -- to address  
14 it.  
15 UNIDENTIFIED PERSON: It should be standard  
16 for everything.  
17 MS. PARGEON: Yeah. The buildings can only  
18 have, you know, so much occupancy; and so they figure  
19 two-and-a-half car spaces, parking spaces,  
20 two-and-a-half parking spaces.  
21 CHAIRPERSON TIMMERMAN: Not that I want to  
22 draw out parking longer, but I did realize there is a  
23 page that has a diagram. It's only a diagram, no  
24 paragraphs.



1 MS. PARGEON: It's a 90 degree and --

2 (Simultaneous speaking.)

3 CHAIRPERSON TIMMERMAN: It just shows the  
4 different --

5 UNIDENTIFIED PERSON: Way better. It's like  
6 a picture book. Way better.

7 MS. STACY: I think a visual --

8 MS. LAND: We have pictures of several of  
9 these places that get really weirdly boring with  
10 measures and angles.

11 MS. PARGEON: Yeah.

12 CHAIRPERSON TIMMERMAN: So --

13 MS. PARGEON: Parking layout: 90 degree, 60  
14 degree, 45 degree and parallel.

15 CHAIRPERSON TIMMERMAN: I don't think  
16 there's much need to go into conversation about it.

17 UNIDENTIFIED PERSON: Let's not do it.

18 MS. PARGEON: No, not today. Not tonight.

19 (Simultaneous speaking.)

20 CHAIRPERSON TIMMERMAN: But -- but since  
21 it's fresh in our mind, if anybody did have any  
22 questions or concerns about the diagram  
23 [unintelligible].

24 UNIDENTIFIED PERSON: Do we have any extra

1 agendas?

2 MS. LAND: There's one. Thank you.

3 CHAIRPERSON TIMMERMAN: Okay.

4 (Simultaneous speaking.)

5 CHAIRPERSON TIMMERMAN: Is that it?

6 Zoey [phonetic] is done. It's official.

7 (Simultaneous speaking.)

8 UNIDENTIFIED PERSON: What's the -- so we're  
9 coming to the end of April. What -- Your meetings are  
10 scheduled throughout May 2?

11 MS. LAND: Yes.

12 UNIDENTIFIED PERSON: What's your plan?  
13 Isn't there a timing thing that you have to --

14 MS. LAND: Well, they have to have it pretty  
15 much completed to be able to start the hearing  
16 process. If they would like to make the November  
17 election, they would have to have it pretty much done  
18 by the end of May. So we're trying to push our way  
19 through as hard as we can until we get to May 2, and  
20 then we will re-evaluate and see if we still need to  
21 meet weekly -- biweekly or weekly.

22 MS. STACY: So we have two scheduled for  
23 next week, Monday and Thursday; and then maybe --

24 CHAIRPERSON TIMMERMAN: How much heads-up do

1 we have to get before --

2 MS. LAND: I think we probably need to  
3 decide on Monday how you want to go from there.

4 CHAIRPERSON TIMMERMAN: See where we're at.

5 MS. LAND: My guess is we're going to  
6 continue on for twice a week for a while.

7 MS. PARGEON: That's okay.

8 MS. LAND: Maybe have Mark -- If you want  
9 to, Mark can do the notice that you're just doing  
10 Mondays and Thursdays now through the end of May if  
11 you want. Then if it turns out we don't need them, we  
12 can cancel.

13 CHAIRPERSON TIMMERMAN: If we're all  
14 thinking we want to do that, do we just give Mark a  
15 heads-up now that that's the strategy, so we don't  
16 forget it next week and --

17 MS. PARGEON: I make a motion we continue  
18 on.

19 MS. STACY: I have -- I have a conflict --

20 CHAIRPERSON TIMMERMAN: She has a conflict.

21 MS. STACY: -- with the one Monday, which I  
22 just cannot be here; and I think I kind of need to be  
23 here.

24 CHAIRPERSON TIMMERMAN: I don't want to take

1 notes.

2 MS. PARGEON: Which Monday is that?

3 MS. STACY: I believe it's May 6. Let me  
4 look it up.

5 CHAIRPERSON TIMMERMAN: The 6th, yes.

6 MS. STACY: And then just the 7th is  
7 actually the Township meeting, so that would be --

8 MR. REHUS: Do we just want to skip the 6th?

9 MS. STACY: And -- but I -- but I could do  
10 the 8th, 9th or I don't know.

11 CHAIRPERSON TIMMERMAN: [Unintelligible].

12 MS. STACY: I don't -- Do you want -- do you  
13 want to do a Friday? Do you want to just do one that  
14 week and have homework or --

15 For there on out, I can do the two a week.  
16 It's just that week, especially with the trustees  
17 meeting being on the Tuesday, that kind of --

18 MS. LAND: I have a conflict on Tuesday  
19 night, something else I have to do.

20 MS. STACY: Okay. So --

21 CHAIRPERSON TIMMERMAN: I'll say this.

22 MR. REHUS: Just one that week?

23 CHAIRPERSON TIMMERMAN: Marching out the  
24 whole -- going through the table of contents or

1 whatever, whatever you call it, yeah, table of  
2 contents, I mapped out for, like, 10ish pages per  
3 meeting. Just going through there, it would take ten  
4 meetings to get through the entire resolution, which  
5 we have -- Where are we at now? We're here. So one,  
6 two, three, four, five -- Four more gets us to the end  
7 of the book.

8 MS. LAND: So why don't we skip the 6th.

9 CHAIRPERSON TIMMERMAN: Missing one isn't  
10 probably going to probably set us back.

11 MS. LAND: And if you realize we're falling  
12 back, then we can always schedule in an extra meeting  
13 and have it noticed and put out there.

14 CHAIRPERSON TIMMERMAN: How much -- After  
15 getting through the resolution, how many more meetings  
16 do you foresee?

17 MS. LAND: One.

18 CHAIRPERSON TIMMERMAN: One more after that.  
19 Just go --

20 MS. LAND: When you have the final book in  
21 your hands to look at it and we'll see if there's  
22 anything that you've heard from anybody about it or  
23 whatever, then you'll have your -- It has to be  
24 completed and available for people to review for 30

1 days before your hearing. And we'll have it uploaded  
2 onto the website, and then we'll also have hard copies  
3 available here at the office if somebody wants to make  
4 an appointment to come in and see it. And maybe each  
5 of you guys can have a hard copy or two. If people  
6 want to see it, you hand it to them to look at.

7 Is there a public area in the Township you  
8 could put it where people can go into? There's a post  
9 office --

10 CHAIRPERSON TIMMERMAN: There's a post  
11 office.

12 MS. LAND: -- in Van Buren. Do you think  
13 they would let you leave it there?

14 CHAIRPERSON TIMMERMAN: Yes, I think she  
15 would.

16 MS. LAND: Maybe somebody wants to touch  
17 base with her and see about that?

18 CHAIRPERSON TIMMERMAN: Yes. Sure. I'll  
19 take care of that [unintelligible].

20 MS. PARGEON: She's nice.

21 MS. STACY: So we can wait until Monday to  
22 actually schedule here on out; but just to think about  
23 it, possibly the 8th or 9th, that week, that first  
24 full week in May. I'm thinking if one of those is

1 better for you than the other --

2 MS. LAND: The 9th we're already doing it.

3 CHAIRPERSON TIMMERMAN: We're scheduled

4 Mondays and Thursdays.

5 MS. STACY: Oh, true. So keep it on.

6 MS. LAND: Just skip the 6th.

7 CHAIRPERSON TIMMERMAN: Just skip the 6th.

8 MS. LAND: So we'll do the 2nd, the 9th,  
9 then the 13th, the 16th, the 20th, the 23rd, the 27th,  
10 and 30th.

11 CHAIRPERSON TIMMERMAN: Yes.

12 MS. LAND: The 27th is Labor Day -- or  
13 Memorial Day.

14 MS. STACY: Yes, traditional.

15 MS. LAND: It's not --

16 MS. STACY: Or the 30th is traditional.

17 That's my -- that's my birthday. So it's regular.

18 MS. LAND: The 27th is the day it's going to  
19 be celebrated.

20 MS. STACY: Yeah.

21 MS. LAND: We may not want to do that day.

22 MS. STACY: We may want to do the 28th and  
23 30th that week?

24 MS. LAND: The 28th I can't be there. I

1 have another -- I've got a Tuesday night all the way  
2 through the end of --

3 CHAIRPERSON TIMMERMAN: Let's just leave the  
4 27th out for right now. Again, we have four meetings  
5 we need, plus one review, so that's five. And we  
6 currently would have one, two, three, four, five, six,  
7 seven scheduled.

8 So let's just see how we're coming along  
9 once we get to, like, the 16th or whatever; and that  
10 would really give us an indication also.

11 MS. PARGEON: So May 2nd, 9th, 13th.

12 CHAIRPERSON TIMMERMAN: 16th.

13 MS. PARGEON: 16th.

14 CHAIRPERSON TIMMERMAN: 20th.

15 MS. PARGEON: 20th, 23rd, 30th.

16 CHAIRPERSON TIMMERMAN: [Unintelligible].

17 MS. STACY: Hey, I was here on my wedding  
18 anniversary, so that's dedication. Whatever it takes,  
19 I'll do it.

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. STACY: Can I have a motion to adjourn?

22 MS. PARGEON: I make a motion we adjourn.

23 MS. STACY: Okay. I need a second.

24 CHAIRPERSON TIMMERMAN: The stare down.



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MR. CORDONNIER: Second.

MS. STACY: Okay. All in agreement say yes.  
Motion passed. We're adjourned.

- - -

And, thereupon, the hearing was adjourned at  
7:15 p.m.

- - -

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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

16 - - -

17  
18  
19  
20  
21  
22 ANDERSON REPORTING SERVICES, INC.

23 3040 Riverside Drive, Suite 125

24 Columbus, Ohio 43221

(614) 326-0177

1 APPEARANCES:

2 CINDY LAND, Attorney at Law  
3 Hancock County Prosecuting Attorney's Office  
4 514 South Main Street  
5 Suite B  
6 Findlay, Ohio 45840  
7 (419) 424-7089  
8 lmland@co.hancock.oh.us

9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson  
13 Darrin Rehus, Vice Chairperson  
14 Deb Stacy, Secretary  
15 Dave Evans  
16 Clara Pargeon  
17 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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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, May 2, 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

16                          - - -

17  
18  
19  
20  
21  
22                          ANDERSON REPORTING SERVICES, INC.  
23                          3040 Riverside Drive, Suite 125  
24                          Columbus, Ohio 43221  
                              (614) 326-0177

1 APPEARANCES:

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9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson  
13 Deb Stacy, Secretary  
14 Dave Evans  
15 Clara Pargeon  
16 Matt Cordonnier, Planning Director, Hancock Regional  
17 Planning Commission  
18  
19  
20  
21  
22  
23  
24

- - -

1 THURSDAY EVENING SESSION  
2 May 2, 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 2nd day of  
8 May, 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 are at 5:00. I'm  
14 going to call this meeting to order.

15 Do you want to do attendance first?

16 SECRETARY STACY: Sure.

17 CHAIRPERSON TIMMERMAN: Did you hand these  
18 out already?

19 SECRETARY STACY: Yeah. Anyone need a --

20 MR. EVANS: I've got one.

21 CHAIRPERSON TIMMERMAN: I'll take one.

22 SECRETARY STACY: You can go ahead and do  
23 roll call.

24 CHAIRPERSON TIMMERMAN: Dave Evans.

MR. EVANS: Yep.



1 CHAIRPERSON TIMMERMAN: Clara Pargeon.

2 MS. PARGEON: Here.

3 CHAIRPERSON TIMMERMAN: Darrin Rehus.

4 (No response.)

5 CHAIRPERSON TIMMERMAN: Did he call?

6 MS. LAND: He talked to me.

7 SECRETARY STACY: Yeah, he's absent.

8 CHAIRPERSON TIMMERMAN: Deb Stacy.

9 SECRETARY STACY: Here.

10 CHAIRPERSON TIMMERMAN: John Timmerman,  
11 here.

12 SECRETARY STACY: Reading of the April 29th,  
13 2024, Allen Township Zoning Commission minutes.

14 Attendance: Dave Evans, Clara Pargeon,  
15 Deb Stacy, John Timmerman. Darrin Rehus was absent.

16 Deb Stacy, Allen Township Zoning Commission  
17 Secretary, read the April 25th, 2024, minutes.

18 Motion 24-04-17M. Clara Pargeon moved to  
19 approve the Allen Township Zoning Commission minutes  
20 from the April 25th, 2024, meeting. John Timmerman  
21 moved to second the motion. Motion passed.

22 The Allen Township Zoning Commission  
23 discussed Signs and Fences. Matt from Hancock County  
24 Regional Planning agreed to take a look at the Sign

1 section and offer rewrite suggestions.

2 Discussion took place regarding the  
3 measurement from property lines for the placement of  
4 fences.

5 The Allen Township Zoning Commission will  
6 schedule the remaining dates for Resolution work. It  
7 was agreed to hold meetings on May 9th, 13th, 16th,  
8 20th, 23rd, and 30th at 5:00 p.m.

9 Cindy Land, Assistant County Prosecutor,  
10 provided information for solar and wind energy for  
11 discussion at the May 2nd meeting. The topic of adult  
12 entertainment will also be included, if we get to it.

13 John Timmerman, Chairman, asked for comments  
14 and input from the guests.

15 One suggestion was to require fencing for a  
16 pool even when that pool had an automatic pool liner.  
17 Automatic pool liners are a safety precaution, but  
18 sometimes the liner is not completely closed.

19 Another comment referred to the distance  
20 from property lines for fences. A recommendation from  
21 a guest was made to have fence placement to be 2 feet  
22 from the property line or half the height of a fence,  
23 whichever measurement is greater. The commission  
24 agreed to include that input in the Zoning Resolution.

1 Motion 24-04-18M. Clara Pargeon moved to  
2 adjourn the meeting. Dave Evans seconded the motion.  
3 Motion passed.

4 So we'll go ahead and --

5 CHAIRPERSON TIMMERMAN: Do we approve  
6 the minutes first?

7 SECRETARY STACY: Yeah. I'll take a motion  
8 to approve the April 29th minutes.

9 MS. PARGEON: I make a motion we approve  
10 them.

11 CHAIRPERSON TIMMERMAN: Clara. Okay. And a  
12 second.

13 MR. EVANS: I'll second.

14 SECRETARY STACY: Dave.

15 And everyone in agreement, say "Yes."

16 (Vote taken.)

17 SECRETARY STACY: Motion passed. And we  
18 need to get these signed.

19 CHAIRPERSON TIMMERMAN: Do we know if the --  
20 all the meeting dates were sent in yet?

21 MS. LAND: I did. I gave them to Mark. He  
22 said he would get them published appropriately.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MS. LAND: He was still on vacation when he

1 got them. He said he had connectivity and he would  
2 take care of it.

3 CHAIRPERSON TIMMERMAN: Okay. Are we  
4 starting with Solar then, or do you have anything you  
5 want to address first?

6 MS. LAND: Yeah. I have a sample template  
7 of -- we need to keep one of those -- adult  
8 entertainment. I know that one already exists for  
9 Allen Township. I believe it is just like this one.  
10 We'll have to have Mark pull it out to make sure we  
11 keep it close to the same. I don't know if we'll get  
12 to that tonight or not, but I'm giving it to you now.

13 And, also, I believe, at some point tonight,  
14 either before you do your discussion or after, we'll  
15 need to retire into Executive Session for a bit to  
16 discuss the pending litigation. As you know, the  
17 zoning commission was sued with a second lawsuit, too,  
18 so I need to update you guys. And I have something  
19 that you'll need to do because there have been some  
20 motions and such that affect you guys.

21 SECRETARY STACY: Okay.

22 MS. LAND: So I would prefer to just do it  
23 at the end, if that's all right.

24 SECRETARY STACY: Sure.

1 CHAIRPERSON TIMMERMAN: Okay. Anything  
2 else?

3 MS. LAND: No.

4 CHAIRPERSON TIMMERMAN: Okay. Do we want to  
5 start with the -- are we going to read through this,  
6 the Sexually Oriented Businesses, or do we want to --

7 MS. LAND: Let's wait until -- let's do the  
8 Wind and Solar first because that's what we had talked  
9 about, and you can go to that next. You guys haven't  
10 had a chance to read through this because I didn't  
11 have it for you last time.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MR. EVANS: So what -- do I have that Wind  
14 and Solar?

15 CHAIRPERSON TIMMERMAN: That's what she  
16 handed out at the last meeting.

17 MS. LAND: The packet of four.

18 CHAIRPERSON TIMMERMAN: I've got more if you  
19 need them.

20 MR. EVANS: Unless it's back here.

21 No, I've got it.

22 CHAIRPERSON TIMMERMAN: I would assume we --  
23 did everybody get a chance to look through -- it  
24 was -- as Deb was pointing out, there's four

1 documents, but it's kind of two and two. Did  
2 everybody read through them?

3 SECRETARY STACY: Yes.

4 CHAIRPERSON TIMMERMAN: Do we have one we  
5 would rather start from?

6 SECRETARY STACY: Yeah. I would say that  
7 the Delaware Township Resolution contained more  
8 conditions --

9 CHAIRPERSON TIMMERMAN: Okay.

10 SECRETARY STACY: -- in order to have Solar.  
11 And it appeared -- whereas Washington Township talked  
12 about I-1 or I-2 Districts for this. I'm not sure I  
13 really saw a district mentioned for Delaware, unless  
14 someone else did.

15 CHAIRPERSON TIMMERMAN: I don't recall a  
16 district called out there.

17 SECRETARY STACY: Right.

18 MS. LAND: I don't think there is.

19 SECRETARY STACY: Yeah. I looked for it.

20 CHAIRPERSON TIMMERMAN: Which would mean any  
21 district at that point?

22 MS. LAND: Well, it would go into that same  
23 group that we just looked at; things that aren't  
24 identified for any particular district. So when they

1 come in and ask for it, then it goes to the zoning  
2 commission to make the determination if what they're  
3 requesting fits in any particular district.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: If you would rather identify a  
6 district for it, you can do that, too.

7 CHAIRPERSON TIMMERMAN: Okay.

8 MS. LAND: And, frankly, that might be  
9 better here because your potential for being  
10 challenged has historically been the case.

11 CHAIRPERSON TIMMERMAN: Right. I guess my  
12 question, there was a -- I didn't notice it so much in  
13 the Washington Township. But in the Delaware, I was  
14 actually looking at the blank one, not the Delaware  
15 one.

16 It seems like there's more provisions for  
17 non-accessory use versus accessory use. Where do we  
18 stand on that? I feel like Washington Township was  
19 more generalized versus calling out accessory and  
20 non-accessory. Are we required to allow non-accessory  
21 use? Do we want non-accessory principal use?

22 MS. LAND: You need to identify what is  
23 accessory and non-accessory, and, then, you'll know if  
24 it's something that you need to --

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: How you want to regulate it.

3 CHAIRPERSON TIMMERMAN: Okay. I guess we'll  
4 start with the Delaware one. Is that the one you  
5 preferred?

6 SECRETARY STACY: I just -- it had more  
7 things in place to --

8 MS. LAND: All of these that are currently  
9 in place are mostly Solar.

10 CHAIRPERSON TIMMERMAN: Right.

11 MS. LAND: So you're going to have to -- you  
12 guys have any Wind?

13 MR. CORDONNIER: Washington addresses Wind.

14 MS. LAND: So does Solar, but it's right at  
15 the end.

16 MR. CORDONNIER: It doesn't always take a  
17 lot of words. It just says they are a Conditional Use  
18 in the I-2 District. There's a height limit of  
19 60 feet and it has to be connected to a -- as an  
20 accessory use, it has to be connected to a primary  
21 use, rather than just straight on the grid. After  
22 it's connected to a primary use, then excess energy  
23 could be sold.

24 So, I mean, I think there's two documents.



1 I haven't read Delaware's fully. I'm familiar with  
2 Washington because we assisted them with that.  
3 I think both have similar ends and just little  
4 different ways of getting there.

5 Washington, on Solar, the idea was it  
6 permits Solar in every district. What it didn't want  
7 to do is put too many limits on the individual  
8 property owner from installing solar panels and the  
9 like. The concern that Washington Township had was  
10 for larger facilities.

11 CHAIRPERSON TIMMERMAN: Right.

12 MR. CORDONNIER: So, in Washington Township,  
13 any district allows them, but it can't be more than  
14 1 acre or a half acre in size. Something like that.

15 CHAIRPERSON TIMMERMAN: It was a half acre.

16 SECRETARY STACY: It was a half acre.

17 MR. CORDONNIER: So that's kind of, in a  
18 nutshell, Washington Township, all districts can have  
19 them, with the homeowner or small business owner in  
20 mind, using it to power their site.

21 CHAIRPERSON TIMMERMAN: Right.

22 MR. CORDONNIER: And, then, wind turbines  
23 are permitted in a certain district with a height  
24 limit of 60 feet.

1           And as Cindy would probably chime in, you  
2 just can't write "X use is not permitted anywhere in  
3 the township," end of sentence.

4           MS. LAND: We talked about that before. You  
5 have to have a place for everything, but you can limit  
6 what it's going to be like.

7           MR. CORDONNIER: A reasonable place for, you  
8 know, like --

9           CHAIRPERSON TIMMERMAN: Right.

10          MR. CORDONNIER: That's a real quick summary  
11 of Washington. Maybe you can go through them both.  
12 I don't know. Either way.

13          CHAIRPERSON TIMMERMAN: I thought  
14 Washington's was pretty straightforward and easy to  
15 follow.

16          SECRETARY STACY: It was easy to follow.

17          MR. CORDONNIER: Was Delaware's taken from  
18 the --

19          MS. LAND: Template.

20          MR. CORDONNIER: -- from the template?

21          MS. LAND: Yes.

22          MR. CORDONNIER: So that had more eyes on  
23 it.

24          CHAIRPERSON TIMMERMAN: Okay. Well, I guess

1 we'll start with Delaware since it's from the  
2 template.

3 Dave.

4 MS. LAND: Why don't we go through  
5 Washington's first because it seems to have more  
6 generality, and, then, you can talk about it. And if  
7 you get to a spot where you think maybe we need to  
8 explain more, then dive into what is in the template  
9 to see if you want to increase it.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: Does that make sense --

12 CHAIRPERSON TIMMERMAN: Sure.

13 MS. LAND: -- as a way to approach it?

14 SECRETARY STACY: Uh-huh.

15 CHAIRPERSON TIMMERMAN: Do you mind reading?

16 MR. EVANS: Yeah. Sure.

17 CHAIRPERSON TIMMERMAN: Thank you.

18 MR. EVANS: Article 12, General Provisions.  
19 New Section 21, Solar Energy.

20 The purpose of this section is to provide  
21 regulations for the safe, effective construction and  
22 operation of accessory Solar Energy Systems installed  
23 to reduce the on-site consumption of utility-supplied  
24 electricity.

1           An accessory Solar Energy System shall be  
2 considered a conditionally permitted accessory use in  
3 any district, provided all requirements and  
4 regulations are met. No person shall cause, allow, or  
5 maintain the use of an accessory Solar Energy System  
6 without first having obtained a Conditional Zoning  
7 Certificate from the BZA.

8           Application for a Conditional Zoning  
9 Certificate shall be submitted to the zoning inspector  
10 and forwarded to the Board of Zoning Appeals.

11 Non-accessory Solar Energy Facilities, otherwise known  
12 as Principal Solar Energy Production Facilities, are  
13 not permitted.

14           All accessory Solar Energy Systems shall  
15 meet the following requirements:

16           1. A Solar Energy System may be  
17 conditionally permitted in all zoning districts as an  
18 accessory to a principal use.

19           2. A Solar Energy System shall not be used  
20 for the generation of power for the sale of energy to  
21 other users; although, this provision shall not be  
22 interpreted to prohibit the sale of excess power  
23 generated from time to time to the local utility  
24 company.

1 MS. LAND: Okay. Wait a minute.

2 So an accessory use is what? I mean, what  
3 would be an example of that? Would the windmills that  
4 are -- turbines that are currently there for, say,  
5 Whirlpool, are those an accessory use? Because  
6 Whirlpool doesn't own them, but they are only  
7 dedicated to one. So does that turn out to be an  
8 accessory use?

9 MR. CORDONNIER: I'd have to look at the  
10 definition of "Accessory" and "Principal."

11 MS. LAND: And where is that?

12 SECRETARY STACY: Right here.

13 MR. CORDONNIER: The second page, I believe.

14 MS. LAND: Am I not using right one? Yeah,  
15 I am.

16 CHAIRPERSON TIMMERMAN: I have a different  
17 printed one. It's the third page for me.

18 MR. EVANS: Mine is the second page.

19 MS. LAND: There it is.

20 SECRETARY STACY: There's two versions for  
21 Washington.

22 MR. CORDONNIER: Why don't you read  
23 "Accessory" and "Principal."

24 MR. EVANS: Sure. Accessory Solar Energy

1 System.

2 A solar collection system consisting of one  
3 or more roof and/or ground-mounted solar collector  
4 devices and solar-related equipment, which has a rated  
5 capacity of less than or equal to 10 kilowatts for  
6 electricity, or related storage volume of less than or  
7 equal to 240 gallons, or that has a collector area of  
8 less than or equal to 1,000 square feet for thermal,  
9 and is intended to primarily reduce on-site  
10 consumption of utility power.

11 A system is considered an accessory Solar  
12 Energy System only if it supplies electrical or  
13 thermal power solely for on-site use, except that when  
14 a property upon which the system is installed also  
15 receives electrical power supplied by a utility  
16 company. Excess electrical power generated and not  
17 presently needed for on-site use may be used by the  
18 utility company.

19 Principal Solar Energy Production Facility.

20 An area of land or other area used for a  
21 solar collection system principally used to capture  
22 solar energy and convert it to electrical energy.

23 Large Solar Energy Production Facilities  
24 consist of one or more of the freestanding ground or

1 roof-mounted solar collector devices, solar-related  
2 equipment, and other accessory structures and  
3 buildings, including light reflectors, concentrators,  
4 heat exchangers, substations, electrical  
5 infrastructure, transmission lines, or other  
6 appurtenant structures and facilities which has a  
7 rated capacity of more than 10 kilowatts for  
8 electricity, or related storage volume of the system  
9 of more than 240 gallons, or that has a collector area  
10 of more than 1,000 square feet for thermal.

11 MS. LAND: Those definitions seem like they  
12 aren't for electric production. They're also for  
13 thermal and for the hot water kind of stuff.

14 MR. CORDONNIER: Yeah.

15 MS. LAND: And why do they have 10 kilowatts  
16 when the statute talks about, for solar, it's less  
17 than 50 megawatts is going to be -- yeah, mega -- less  
18 than 50 megawatts is going to be a small solar farm?  
19 And that's that break-off difference for where they  
20 even have the authority to control it.

21 MR. CORDONNIER: Uh-huh.

22 MS. LAND: Which is bigger: Megawatts or  
23 kilowatts?

24 MR. CORDONNIER: Megawatts.

1 MR. EVANS: Megawatts is bigger.

2 MR. CORDONNIER: So these are --

3 MS. LAND: Megawatts is bigger?

4 MR. EVANS: Is that what you're saying?

5 MR. CORDONNIER: Yeah. There's -- show our  
6 math --

7 MS. LAND: I have no math skills.

8 MR. CORDONNIER: I believe there's  
9 1,000 kilowatts in 1 megawatt.

10 FROM THE FLOOR: That's correct.

11 MR. CORDONNIER: So these are very -- the  
12 accessory ones that are permitted --

13 MS. LAND: Are very small.

14 MR. CORDONNIER: Very small in size.

15 MS. LAND: But, then -- yeah. And, then,  
16 the non-accessory --

17 CHAIRPERSON TIMMERMAN: I think the thing  
18 that stood out to me for accessory was it says,  
19 "on-site." So, to me, that's like the same parcel of  
20 land.

21 MS. LAND: But if you wanted to put a small  
22 solar field in your backyard, or on part of your  
23 house, or on your roof --

24 CHAIRPERSON TIMMERMAN: That would be on



1 site.

2 MS. LAND: -- that would be on site. It  
3 would be accessory. It would be for your personal  
4 use.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: That makes some sense. But we've  
7 got to -- because you're doing this through zoning,  
8 we're going have to have some sort of nod to the  
9 statutory language of less than 5 -- no. Yeah, 5.

10 MR. CORDONNIER: 50 megawatts.

11 MS. LAND: For solar, and 5 for wind.

12 Do we want to put in thermal and all this  
13 other stuff? Or do you want to not mess with that  
14 right now and only so do Solar and Wind? Because it's  
15 going to get more and more complicated, more and more  
16 technical because we start talking about gallons and  
17 surface area, and those don't apply to either of those  
18 things. You know, for the measuring units, I think  
19 we're going to have to break those down into  
20 additional sections here, if you want to keep those  
21 in.

22 CHAIRPERSON TIMMERMAN: Is the thermal still  
23 solar-powered though?

24 MS. LAND: I have no idea.

1 CHAIRPERSON TIMMERMAN: I mean, I would  
2 assume thermal, being heat, the sun produces heat. Is  
3 it still solar-powered?

4 MS. LAND: Not a clue.

5 CHAIRPERSON TIMMERMAN: Any thoughts?

6 MR. CORDONNIER: I am not a subject matter  
7 expert.

8 CHAIRPERSON TIMMERMAN: Yeah. I didn't know  
9 whether that would still be part of the exact -- if  
10 it's solar energy, heat would be an energy.

11 SECRETARY STACY: Uh-huh.

12 MS. LAND: Right.

13 CHAIRPERSON TIMMERMAN: So it would, to me,  
14 thermal is the same as -- like, thermal and electrical  
15 generation through solar is the same solar energy. So  
16 they're kind of creating one set of rules that covers  
17 both options.

18 SECRETARY STACY: Uh-huh.

19 MS. LAND: Okay. We can go ahead and leave  
20 them in. But, you know, in all the stuff that I've --  
21 and I can't say that I'm an expert, but I've been  
22 involved in a couple of cases with the large solar  
23 farms going through the Ohio Power Siting Board, and  
24 there is no mention of any of the thermal, the

1 gallon -- in gallons or in surface area. That's not  
2 anything that the Power Siting Board looks at. It all  
3 has to do with megawatts and the power electricity  
4 output.

5 So I don't know if it's because of the type  
6 of solar farm that they were asking for their  
7 approvals that that made that difference, or if  
8 there's something else that it's a different thing  
9 other than solar. And I'm not --

10 CHAIRPERSON TIMMERMAN: I'm not either.

11 MS. LAND: I know just enough to ask  
12 questions because I don't know.

13 CHAIRPERSON TIMMERMAN: Right.

14 MS. LAND: So we have to try to find  
15 somebody that we can ask. And we'll get some --

16 CHAIRPERSON TIMMERMAN: Okay. So thermal  
17 will be something --

18 SECRETARY STACY: Because if it's not  
19 necessary, it would be a little more straightforward.

20 MS. LAND: If you put extraneous things that  
21 really aren't necessary, they can sort of gum up the  
22 works a bit and you don't necessarily want that. You  
23 want very clear and concise so anybody reading it  
24 knows where they fall into the whole process.

1 SECRETARY STACY: Sure.

2 CHAIRPERSON TIMMERMAN: So are we thinking  
3 at this moment to leave the thermal portion out for  
4 clarity?

5 SECRETARY STACY: I think so, unless we're  
6 told otherwise that it's necessary.

7 CHAIRPERSON TIMMERMAN: I think it's  
8 something to continue to look into. But, for now, it  
9 might be smarter to --

10 MR. CORDONNIER: My uneducated guess is  
11 that, and I could be 100 percent wrong, but I think  
12 it's included because the panels look similar and they  
13 do different things. One is heating water; one is  
14 creating electricity, but the form factor is the same.

15 CHAIRPERSON TIMMERMAN: Right.

16 MS. LAND: Okay.

17 MR. CORDONNIER: So if you're driving by,  
18 you're not --

19 MS. LAND: You're not really telling if it's  
20 electricity-generating or --

21 MR. CORDONNIER: Yeah. That's my guess.

22 MS. LAND: The other portion is, you know,  
23 we're talking about storage capacity. Are we talking  
24 about battery options? You know, the battery storage

1 areas. That's something that also needs to be covered  
2 in this.

3 CHAIRPERSON TIMMERMAN: Uh-huh.

4 MS. LAND: Is that something that this is  
5 alluding to? I don't know.

6 CHAIRPERSON TIMMERMAN: They do have Battery  
7 Energy Storage Facilities as the next section, so I  
8 think they were kind of --

9 MS. LAND: What I gained, you know,  
10 listening to the Power Siting Board stuff, is that,  
11 often, they're associated.

12 CHAIRPERSON TIMMERMAN: Right.

13 MS. LAND: This, however, talks about the  
14 ability to provide to the grid, if they have to, which  
15 would probably alleviate the need for a lot of battery  
16 storage because it can go into the grid. But  
17 sometimes they produce so much that even the grid  
18 can't take it because, you know, it is what it is.  
19 Sometime it's full.

20 We'll put a star on that and we'll look at  
21 it and see what we can figure out. But I think, from  
22 that, what we're talking about is the limitation  
23 numbers, you know, the maximums you're permitting.  
24 I think the part identifying what kind of thing it is,

1 whether it's, like, for the individual user, like,  
2 your home or powering your farm, or whatever, is one  
3 thing, versus a commercial enterprise that is selling.

4 The question is, is, like, if somebody were  
5 to put up solar farms or wind farms that have small  
6 grids and identify them for particular users, like you  
7 currently have going on, does that fall under  
8 accessory solar, or non-accessory solar or wind?

9 That's the question that we have to make  
10 sure that we identify and we know who is doing what to  
11 be able to know how you're going to regulate. Make  
12 sense?

13 SECRETARY STACY: Uh-huh.

14 MS. LAND: And I'm not the one to answer  
15 that question.

16 MR. CORDONNIER: Well, I mean, I think when  
17 we were going through Washington, I think the similar  
18 question was asked, and I think one thing is on site,  
19 because they ask, What if you took 100 acres and  
20 divided it into 100 1-acre lots? The quick answer is  
21 the County Subdivision Regulations won't let you split  
22 100 acres into 100 lots. You get five splits from the  
23 parent lot as of 1961. Five splits less than 5 acres,  
24 so 100 acres could maybe be split --

1 MS. LAND: You can do 25-acre lots.

2 MR. CORDONNIER: You could do 25-acre lots,  
3 yes. You'd have to provide roadway frontage. The  
4 Subdivision Regulations apply to Allen Township, the  
5 same as any township.

6 MS. LAND: They don't just apply to creating  
7 subdivisions with streets and gutters. They can also  
8 be any multiple --

9 MR. CORDONNIER: Any lot split.

10 MS. LAND: -- splitting of lots.

11 MR. CORDONNIER: Any splitting of lots.

12 Yeah.

13 SECRETARY STACY: That's through Regional  
14 Planning?

15 MS. LAND: The County Commissioners have  
16 Subdivision Regulations.

17 MR. CORDONNIER: The County Commissioners --

18 SECRETARY STACY: Okay.

19 MR. CORDONNIER: -- are the keepers and the  
20 owners of the Subdivision Regulations. We administer  
21 them on behalf of the County Commissioners.

22 SECRETARY STACY: So it's really a  
23 non-zoning --

24 MS. LAND: It's not zoning.

1 MR. CORDONNIER: Yeah.

2 MS. LAND: It's another layer of bureaucracy  
3 on top of zoning.

4 SECRETARY STACY: Okay.

5 CHAIRPERSON TIMMERMAN: But I think the  
6 direction you were going is is those would not be all  
7 on site. Is that the direction you were going?

8 MR. CORDONNIER: Yeah. On site, to me, is  
9 one of the critical --

10 MS. LAND: Then what does "on site" mean?  
11 On that lot? On that parcel? On connected parcels?

12 CHAIRPERSON TIMMERMAN: What is the  
13 difference between a lot and a parcel?

14 MS. LAND: Well, same thing: Lot or parcel.

15 But you have your -- you might have your  
16 house on one parcel or one lot, and you might have a  
17 couple barns on another one that is not in the same  
18 parcel, which often happens because the houses have to  
19 be split down to smaller lots to be able to get  
20 conventional financing.

21 So you might have, you know, 30 acres with  
22 your farm and your outbuildings, and all of that, and  
23 2 acres for your house. If you want it to power your  
24 house, does it have to be on your 2 acres, or are we



1 going to say, Well, it's all part of the same farm,  
2 and that would be contiguous lots?

3 It's much more liberal, because, then, you  
4 don't have to worry about, you know, squeezing it onto  
5 one lot. Or if you only want it to run your  
6 outbuildings and not -- only on the lot that they're  
7 on.

8 CHAIRPERSON TIMMERMAN: Is there any  
9 limitation to contiguous, or is it a chain?

10 MS. LAND: It can be a chain.

11 MR. CORDONNIER: And I agree that further  
12 defining that would be helpful, whether it's  
13 contiguous or it has to be on the same lot.

14 MS. LAND: What does "on site" mean? Yeah.

15 MR. CORDONNIER: You know --

16 CHAIRPERSON TIMMERMAN: Could you write it  
17 up that it --

18 MR. CORDONNIER: From a layman's standpoint,  
19 it's the same lot as the principal structure you're  
20 supplying.

21 Whirlpool's new solar panels, I would say,  
22 even if you get caught up in the on site/off site, it  
23 still will be vastly larger than 10 kilowatts.

24 CHAIRPERSON TIMMERMAN: Right.

1 MR. CORDONNIER: And so it would be a  
2 principal.

3 CHAIRPERSON TIMMERMAN: Okay. And it's off  
4 site? Although --

5 MS. LAND: It would probably -- they aren't  
6 putting it on there, that parcel.

7 MR. CORDONNIER: No. It could be. I mean,  
8 so -- but, you know, looking at it in a vacuum, even  
9 if it's not -- even if it's the same principal,  
10 it's -- still the definition of primary is greater  
11 than 10 kilowatts and it will be vastly larger than  
12 that.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: But we don't want them having  
15 multiple less-than-10 kilowatts and saying they're all  
16 not principal; they're accessory. That happens.

17 MR. CORDONNIER: That's where the  
18 Subdivision Regulations come in.

19 MS. LAND: Yeah. I'm not sure that would --  
20 if that were the case, the people in Allen Township  
21 wouldn't be so upset about all the windmills springing  
22 up all over the place.

23 MR. CORDONNIER: I'm just saying the  
24 Subdivision Regulations limit the number of lot splits

1 that can occur.

2 MS. LAND: But they don't necessarily have  
3 to split. They can buy here. They can buy here.  
4 They can buy here, and, then, have multiple --

5 MR. CORDONNIER: Does anyone know -- and  
6 you're the one that has to go to court, so I will  
7 always defer to you.

8 MS. LAND: They're getting me a dedicated  
9 chair over there these days.

10 MR. CORDONNIER: I would -- in our research,  
11 I believe 10 kilowatts was enough to power a house and  
12 a little more. So I could be wrong. That's what I  
13 recall. It's been a couple years.

14 MS. LAND: I guess where I'm going here is,  
15 I'm not concerned about the small accessory use that  
16 somebody wants to do --

17 MR. CORDONNIER: Sure.

18 MS. LAND: -- for their home. I'm worried  
19 about creating a loophole that somebody can daisy  
20 chain them together and have a bunch of small ones  
21 that create a big huge one, and, then, suddenly, they  
22 can't be regulated. That's what the concern is.  
23 That's the loophole we're trying to plug when it comes  
24 to generation of power.

1 MR. CORDONNIER: Yeah.

2 MS. LAND: Does that make sense?

3 CHAIRPERSON TIMMERMAN: Uh-huh.

4 MS. PARGEON: But is just one person going  
5 to own all the land that this is sitting on?

6 MS. LAND: I don't know. That's one of your  
7 questions. Is it that the accessory use has to be --  
8 it says "on site." Does it mean on your lot or on any  
9 of the land that you own that touches your lot?

10 MS. PARGEON: Right.

11 CHAIRPERSON TIMMERMAN: So if you make it --

12 MR. CORDONNIER: In that circumstance,  
13 I would suggest it has to be on the parcel of which  
14 it's feed -- of the primary structure that it's  
15 supplying.

16 MS. LAND: Its principal use. Yeah.

17 MR. CORDONNIER: Yeah. I think that should  
18 be clarified for the accessory.

19 SECRETARY STACY: Yeah, I agree.

20 MR. CORDONNIER: Just to make it nice and  
21 clear.

22 CHAIRPERSON TIMMERMAN: Is that for  
23 accessory -- an accessory be on site principal --

24 MR. CORDONNIER: Located on the parcel of

1 the primary building that it's supplying energy to.

2 MS. LAND: So "on site" definition needs to  
3 be added that it is on the same parcel or lot as the  
4 principal facility powered. Something to that effect.

5 SECRETARY STACY: Uh-huh.

6 MS. PARGEON: Instead of having 2 acres here  
7 with a wire going across to another 2 acres.

8 CHAIRPERSON TIMMERMAN: Yeah.

9 SECRETARY STACY: Right.

10 CHAIRPERSON TIMMERMAN: Is there -- so you  
11 said -- could you read that again, what you're writing  
12 down for your --

13 MS. LAND: Yeah. On site definition is on  
14 the same lot -- parcel as the principal structure  
15 utilizing the power generated.

16 CHAIRPERSON TIMMERMAN: So when you say  
17 "principal," principal -- I don't know -- building or  
18 whatever using the power?

19 MS. LAND: That would be like your house.

20 CHAIRPERSON TIMMERMAN: Right.

21 MS. LAND: Or maybe the barn.

22 CHAIRPERSON TIMMERMAN: But is there a way  
23 that -- that's implying that there's others that can  
24 be using that power also. So, at that point, does

1 that matter that it could be --

2 MS. LAND: Okay.

3 CHAIRPERSON TIMMERMAN: Like, if you -- if  
4 the principal -- if you put up a little shack, you  
5 know, with a computer in it, and I put it up primarily  
6 for that, but I'm still sending a bunch of power  
7 elsewhere, does that make -- is that a loophole?

8 MR. CORDONNIER: I think it goes back to  
9 10 kilowatts is a --

10 MS. LAND: Is all they can generate.

11 MR. CORDONNIER: -- very small amount of  
12 power.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: Yeah. It's only --  
15 1,000 kilowatts or 100 kilowatts equals a megawatt?

16 MR. CORDONNIER: 1,000 kilowatts equals  
17 1 megawatt.

18 MS. LAND: 10 kilowatts is hecka small.

19 MR. CORDONNIER: Yeah.

20 CHAIRPERSON TIMMERMAN: I just didn't know  
21 if there was a way -- like, the power has to be used  
22 on site. But, then, that gets into if you can sell it  
23 back to the grid any excess.

24 MS. LAND: You don't have to store it. And

1 the storage facilities and the battery facilities tend  
2 to be a big issue.

3 SECRETARY STACY: Right.

4 CHAIRPERSON TIMMERMAN: Right.

5 MS. LAND: So we may not want to set it up  
6 that those are required because we could be asking for  
7 more trouble. And I wish I had more engineering  
8 expertise.

9 Does anybody know an engineer that works on  
10 this stuff that we can call and come and have him be a  
11 guest lecturer?

12 CHAIRPERSON TIMMERMAN: Maybe.

13 MS. LAND: If we can find somebody. It  
14 might be a good idea just -- once you get this sorted  
15 out, run it past him and see if they see any  
16 loopholes. They don't have to come to a meeting.  
17 Maybe one of you could go with what we work out here  
18 and say, Do you see any glaring problems?

19 CHAIRPERSON TIMMERMAN: I'll reach out to a  
20 guy I know.

21 MS. LAND: Okay.

22 "Principal structure," you need to identify  
23 that. You need to define it.

24 MR. CORDONNIER: Is it in the Definitions

1 of -- in the greater book?

2 MS. LAND: Is it in your Definitions in the  
3 big book, is the question.

4 MR. EVANS: Page 9.

5 CHAIRPERSON TIMMERMAN: Looking at Principal  
6 Use, Page 9. I mean, ideally it would be a principal  
7 structure.

8 MS. LAND: What do we have here?

9 CHAIRPERSON TIMMERMAN: Principal use.

10 MS. LAND: I think that would probably --  
11 instead of saying "principal structure," should we say  
12 "principal use" in this definition so that it ties  
13 back? We can identify it --

14 MR. CORDONNIER: Yeah.

15 MS. LAND: -- that way, instead of creating  
16 a --

17 MR. CORDONNIER: That will suffice.

18 CHAIRPERSON TIMMERMAN: As far as Washington  
19 Township's zoning on this, does the definition of  
20 "Principal Solar" even matter? Because the last  
21 sentence of the first paragraph says, "Non-accessory  
22 Solar Energy Facilities, otherwise known as Principal  
23 Solar Energy Production Facilities, are not  
24 permitted."



1 I guess you still might want a definition as  
2 to what it is, just so -- for clarity.

3 MS. LAND: Where is that?

4 MR. CORDONNIER: I'd be curious.

5 CHAIRPERSON TIMMERMAN: The very last --

6 SECRETARY STACY: Sentence in the first  
7 paragraph.

8 CHAIRPERSON TIMMERMAN: First paragraph, the  
9 whole thing, the last sentence.

10 MS. LAND: Oh, yeah.

11 MR. CORDONNIER: I guess I would be  
12 interested in your thoughts on that statement, if you  
13 like that statement or not.

14 MS. LAND: I don't like that statement.

15 MR. CORDONNIER: That's what I thought.

16 CHAIRPERSON TIMMERMAN: Why is that?

17 MR. CORDONNIER: Too general.

18 MS. LAND: You can't totally ban something,  
19 except marijuana and adult entertainment. Those, you  
20 can ban.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MR. CORDONNIER: That's where -- I mean,  
23 Principal Solar Energy Production Facilities shall be  
24 located -- or shall be a Conditional Use in the

1 I-2 District.

2 MS. LAND: Yeah.

3 MR. EVANS: So, really, that sentence almost  
4 doesn't mean anything, is what you're saying?

5 CHAIRPERSON TIMMERMAN: It's not allowed is  
6 what she's saying.

7 MR. EVANS: Yeah.

8 MR. CORDONNIER: It's not a good practice.

9 MR. EVANS: Yeah.

10 MS. LAND: You set yourself up for --

11 MR. EVANS: Right.

12 MS. LAND: Should we be saying -- so we're  
13 doing this as Section 21, Solar Energy. And when we  
14 do Section 22, which will not be the same numbering  
15 section you guys have, do Wind that way?

16 SECRETARY STACY: Yeah.

17 CHAIRPERSON TIMMERMAN: What do you mean by  
18 that?

19 MS. LAND: Well, this is almost all only  
20 Solar that we're talking about.

21 CHAIRPERSON TIMMERMAN: Right. Wind is the  
22 third section in this.

23 MS. LAND: Yeah. I think we need to take  
24 Wind and take some of this stuff and add into it some

1 of the more -- when Washington Township wrote this,  
2 they were very concerned about Solar, so Wind was an  
3 afterthought. They didn't think they were going to  
4 have an issue, so they didn't deal with it.

5 I think you have to probably address both  
6 pretty equally because it's clear that you're going to  
7 have issues.

8 SECRETARY STACY: Yes, it is kind of lean  
9 for Wind.

10 MS. LAND: Yeah. But a lot of what's in  
11 Solar can be converted pretty easily into Wind, by,  
12 you know, keeping track of the amounts that are  
13 allowed to be, you know -- or limits.

14 Solar permits five times -- ten times more  
15 in the small wind -- in small solar farms than --  
16 like, Wind is a small wind farm if it produces less  
17 than 5 megawatts. Solar is a small solar farm if it  
18 produces less than 50 megawatts. So when you get over  
19 to Wind, you're going to have to evaluate that and see  
20 if we have the right numbers in there for what we're  
21 saying is our limits.

22 MR. CORDONNIER: Yeah. I mean, Washington  
23 is saying you can have -- you have unlimited amount of  
24 wind turbines; they're capped at 60 feet in height.

1 CHAIRPERSON TIMMERMAN: Right.

2 MR. CORDONNIER: Essentially. I mean,  
3 there's no limit. You can put up 100 of them, but  
4 they're capped at 60 feet in height.

5 MS. LAND: That's not really -- I don't  
6 think that's a good -- that great of practice either.  
7 I think it could cause some issues. 60 feet is still  
8 high. It's not 600, but it's still high.

9 CHAIRPERSON TIMMERMAN: So this whole --

10 MR. CORDONNIER: We chose that because it's  
11 the same height.

12 MS. LAND: There are more chairs back here,  
13 if you want to get more chairs. In the back room back  
14 here. You're welcome to go get some.

15 FROM THE FLOOR: Thank you.

16 MR. CORDONNIER: We chose that height  
17 because it's the same height as the building  
18 limitation.

19 MS. LAND: And that's great. And I think  
20 you will probably be putting those kind of limitations  
21 on, but, also, some other limitations for how many.

22 CHAIRPERSON TIMMERMAN: Sure.

23 SECRETARY STACY: I agree. Yes.

24 MS. LAND: Unless they want to paint them

1 with green stems and yellow fins to make them look  
2 like daisies.

3 CHAIRPERSON TIMMERMAN: Big daisies.

4 So the way they have this set up, though,  
5 they think -- for Washington, they think that it's  
6 assumed that there's no principal solar energy  
7 production, so --

8 MS. LAND: What you have with "Draft" on it  
9 is actually Liberty. That's not Washington.

10 CHAIRPERSON TIMMERMAN: It's the exact same.

11 MS. LAND: I know. But it's Liberty.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: And they've not adopted anything  
14 yet.

15 CHAIRPERSON TIMMERMAN: Okay. For clarity,  
16 I keep calling it Washington.

17 MS. LAND: That's why we're not matching  
18 pages.

19 CHAIRPERSON TIMMERMAN: I had this  
20 beforehand and I already had notes.

21 MS. LAND: That's fine. That's good. It  
22 just dawned on me why we aren't matching pages.

23 CHAIRPERSON TIMMERMAN: Where was I going?

24 Basically, all of their requirements are

1 essentially for non -- or for accessory use. So we  
2 would probably need a second section for principal use  
3 then.

4 MS. LAND: Uh-huh. Because they basically  
5 said no principal use.

6 SECRETARY STACY: Right.

7 CHAIRPERSON TIMMERMAN: Right.

8 MS. LAND: Yeah. It's going to be kind  
9 of -- well, this is what the Legislature, I think, was  
10 thinking the same thought I just had, and, then, I had  
11 to stop myself; that we don't have to worry too much  
12 about non-accessory use for these tiny little deals  
13 because it's not economically viable to do that.

14 So we'll make it these numbers so people can  
15 have it on their home, or they can have one wind  
16 turbine if they want it on their farm, or wherever.

17 And, you know, that development of the  
18 process of doing micro grids and clumping them  
19 together and making a big field that's not then  
20 regulated is something I don't think they took into  
21 account.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. LAND: And that's why we will -- even  
24 for the non-accessory uses, you still have to put some

1 limitations on them because we can't do that. It's  
2 not going to happen anyway so why would anybody do  
3 that? Well, we found out that there is a way to do it  
4 and legally follow that path. It's not an illegal  
5 thing to do under the State --

6 SECRETARY STACY: Right.

7 MS. LAND: -- unless you guys regulate it  
8 through zoning. At least now.

9 CHAIRPERSON TIMMERMAN: Okay. Do we want to  
10 work through these then --

11 MS. LAND: Yeah.

12 CHAIRPERSON TIMMERMAN: -- as accessory  
13 uses?

14 MS. LAND: Yeah. See if there's any of  
15 these that you don't like.

16 CHAIRPERSON TIMMERMAN: Do you want to keep  
17 going?

18 MR. EVANS: Starting at 3. Oh, okay. Back  
19 up to 1.

20 MR. CORDONNIER: Did we get through --

21 MR. EVANS: We went down to 3.

22 MR. CORDONNIER: Okay. Sorry.

23 MR. EVANS: So do you want to start with 3?

24 3. A Roof/structure-mounted Solar Energy

1 System:

2 A. Shall be flush mounted, or as long as it  
3 matches the slope of the roof, shall have a maximum  
4 tilt of no more than 5 percent steeper than the roof  
5 pitch on which it is mounted.

6 B. Shall extend -- shall not extend the  
7 perimeter or edge of the roof of the structure on  
8 which it's located.

9 C. May be mounted to a principal or  
10 accessory structure.

11 D. Combined height of Solar Energy System  
12 and structure to which it is mounted may not exceed  
13 the maximum building height allowed in that zoning  
14 district for the type of structure to which it is  
15 attached.

16 MS. LAND: Is there anything that anybody  
17 has any issues with that?

18 CHAIRPERSON TIMMERMAN: I think it seems --  
19 I mean, if you're not trying to -- just at a general  
20 glance, it seems like normal roof-mounting solar  
21 panels to me.

22 MR. EVANS: Go ahead?

23 4. A ground/pole-mounted Solar Energy  
24 System:



1           1. Shall not exceed the maximum height  
2 allowed in that zoning district for accessory  
3 buildings.

4           2. Shall not be located within the required  
5 front yard setback.

6           3. The surface area of a ground-mounted  
7 system, regardless of the mounted angle, shall be  
8 calculated as part of the overall lot coverage.

9           4. The minimum setback distance from  
10 property lines for Solar Energy Systems and their  
11 related equipment shall be at least 110 percent of the  
12 height of the Solar Energy System, or at least 10 feet  
13 from the nearest property line, whichever is greater.

14           5. Shall not exceed one-half acre in size.

15           SECRETARY STACY: For C, when it talks about  
16 being calculated as part of the overall lot coverage,  
17 is there a percentage?

18           MS. LAND: That was in our Page 34 in the  
19 regular book. The chart.

20           SECRETARY STACY: Okay.

21           MS. LAND: We had percentages of lot  
22 coverage that was permitted.

23           SECRETARY STACY: Okay. So that's a chart.

24           MS. LAND: And that would depend on the --

1 if it's in a Residential District, or if it's in an  
2 Agricultural District with a residential use, those  
3 were different numbers for maximum lot coverage.

4 MR. EVANS: Like, R-1 is 25 percent.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: And calculated in, that would  
7 take in also the house and any barns or sheds or  
8 garages.

9 CHAIRPERSON TIMMERMAN: Do driveways go into  
10 that?

11 MS. LAND: I don't think so because they're  
12 not considered a structure.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MR. CORDONNIER: It depends on the  
15 definition. Generally it's impervious surface.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MR. CORDONNIER: Gravel is generally  
18 considered pervious. If it's a paved driveway, just  
19 off -- from the hip, I'd say gravel, no. Pavement,  
20 yes.

21 MS. LAND: We're probably going to have to  
22 address that.

23 SECRETARY STACY: Uh-huh.

24 MR. CORDONNIER: I was expecting that.

1 CHAIRPERSON TIMMERMAN: For ground-mounted,  
2 I think it's maybe too much for the first one. Not to  
3 exceed the maximum height allowed for the zoning  
4 districts for accessory buildings.

5 MS. LAND: That could be pretty high.

6 CHAIRPERSON TIMMERMAN: That's pretty high.  
7 I think ground-mounted is 10 feet or so.

8 MS. LAND: I think they go -- once they are  
9 fully extended, they are closer to 18 feet. The ones  
10 like they're proposing over in Washington and Cass  
11 Township, they were 16 to 18 feet when they were fully  
12 extended vertically. Yeah. I read too much of that  
13 stupid stuff.

14 CHAIRPERSON TIMMERMAN: So I think I would  
15 choose a number like that rather than --

16 MS. LAND: You mean 20 feet or --

17 CHAIRPERSON TIMMERMAN: Sure.

18 MR. CORDONNIER: I think so.

19 CHAIRPERSON TIMMERMAN: Everybody good with  
20 that?

21 MS. LAND: I don't know if the panels  
22 that -- like, if I wanted to do solar at my house and  
23 I had a few panels put in my backyard, if they would  
24 be the same size as those ones in the big commercial

1 things that go up that tall. I don't know.

2 MR. CORDONNIER: They probably wouldn't  
3 articulate.

4 MS. LAND: I wouldn't think so.

5 CHAIRPERSON TIMMERMAN: If they're not  
6 articulating, and this is for Accessory Use, then  
7 there's a lower number.

8 MS. LAND: Probably. That's probably a good  
9 idea.

10 CHAIRPERSON TIMMERMAN: Maybe the 20 feet  
11 would be more of a principal-use type application.

12 MS. LAND: We'll keep that in mind.

13 CHAIRPERSON TIMMERMAN: The second  
14 statement, "Shall not be located within the required  
15 front yard setback."

16 I don't think we want the word "setback."  
17 Because if your house -- if the setback is 40 feet and  
18 your house is back 80 feet, you're putting solar  
19 panels in front yards.

20 MS. LAND: Okay. That's what we don't want.

21 Going back one, when you said the maximum  
22 height, do you want to pick a number now instead of  
23 this maximum height allowed by accessory buildings?

24 MR. EVANS: 20 feet.

1 CHAIRPERSON TIMMERMAN: Well, I think we  
2 were just going back to it could be even lower if  
3 they're not articulating and it's a fixed mount.

4 MR. EVANS: 20 feet is pretty tall.

5 CHAIRPERSON TIMMERMAN: 20 feet is pretty  
6 tall.

7 MS. LAND: 15 feet? 12 feet? I have no  
8 idea what's standard.

9 CHAIRPERSON TIMMERMAN: Is this a 9-foot  
10 ceiling in here?

11 MR. EVANS: Looks like it's about 9.

12 CHAIRPERSON TIMMERMAN: Yeah.

13 MS. LAND: Is Zoe here? Is she Googling  
14 this to see how tall they normally are?

15 MR. CORDONNIER: I would say, when you're  
16 choosing some of these heights, I think you should  
17 have an explanation behind it.

18 MR. EVANS: Instead of random.

19 MR. CORDONNIER: Instead of -- I think  
20 that's just --

21 MS. LAND: And a height, though, that's  
22 shorter in a Residential District is easy to be able  
23 to --

24 MR. CORDONNIER: It's reasonable.

1 MS. LAND: Reasonable. Because you're more  
2 likely to be infringing on your neighbors by filling  
3 the yard.

4 SECRETARY STACY: Right.

5 CHAIRPERSON TIMMERMAN: Zoe is back there if  
6 you need her to do it.

7 MR. CORDONNIER: The definition of "lot  
8 coverage" is the percentage of the lot occupied by  
9 buildings, including accessory buildings, so it  
10 doesn't include, like, sidewalks or driveways or  
11 anything. Just building.

12 CHAIRPERSON TIMMERMAN: Okay. But this is  
13 saying that it would now include also solar panels.

14 MR. CORDONNIER: Yeah.

15 MS. LAND: Yeah. It would include solar  
16 panels.

17 CHAIRPERSON TIMMERMAN: Yeah.

18 MS. LAND: I'm having terrible time getting  
19 service.

20 MR. CORDONNIER: I can never get service in  
21 here.

22 CHAIRPERSON TIMMERMAN: What are you  
23 thinking, Deb?

24 SECRETARY STACY: I guess I'm just thinking

1 about subdivisions. I can't think that those yards  
2 would be large enough. They could possibly put  
3 something on a roof or something.

4 CHAIRPERSON TIMMERMAN: Roof-mount is  
5 different.

6 SECRETARY STACY: Right.

7 CHAIRPERSON TIMMERMAN: But on the  
8 ground-mount, you can't even have a fence tall enough  
9 to block it at 10 feet.

10 MR. CORDONNIER: There are ground-mounted  
11 residential panels in Findlay.

12 CHAIRPERSON TIMMERMAN: For sure.

13 MR. CORDONNIER: You can do it on a  
14 residential lot.

15 CHAIRPERSON TIMMERMAN: How tall are they,  
16 though?

17 MR. CORDONNIER: I don't know. Probably  
18 8 or 9 feet.

19 CHAIRPERSON TIMMERMAN: Right. I think  
20 10 feet is -- I mean, if it's not articulating, it's a  
21 fixed-mount, there's -- technically you can't put a  
22 fence up to block it at 10 feet.

23 MS. LAND: Right.

24 MR. CORDONNIER: What's the height limit for

1 accessory uses?

2 MS. LAND: It's on Page 34.

3 MR. CORDONNIER: I'm on 34. It doesn't --

4 CHAIRPERSON TIMMERMAN: I don't know if  
5 there's a height limit for accessory uses.

6 MS. LAND: We have for principal uses, I  
7 think, but not accessory. Isn't it the accessory  
8 can't be bigger than the principal?

9 CHAIRPERSON TIMMERMAN: I would assume.

10 MS. LAND: Isn't that what we decided?

11 This is so much stuff.

12 CHAIRPERSON TIMMERMAN: I go back to, if you  
13 can't block it with a fence, it's too tall.

14 MR. CORDONNIER: An accessory garage you  
15 can't block with a fence.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MR. CORDONNIER: I'm just --

18 CHAIRPERSON TIMMERMAN: That's true. Sure.  
19 I feel like those are more accepted.

20 SECRETARY STACY: Yeah.

21 MS. LAND: If you make it 10 feet, we're  
22 permitting 8-foot fences, correct? Isn't that what we  
23 came down to?

24 CHAIRPERSON TIMMERMAN: Right.



1 MS. LAND: So -- but, yeah, on the sides up  
2 to the house.

3 CHAIRPERSON TIMMERMAN: Right. Front of the  
4 house.

5 MS. LAND: So that should be able to block  
6 it pretty much. It'll just look like a sparkly roof.

7 CHAIRPERSON TIMMERMAN: I think 10 is  
8 probably what I would -- without knowing any more,  
9 that's probably what I would just go with.

10 MS. LAND: For your max?

11 CHAIRPERSON TIMMERMAN: For a max.

12 MR. EVANS: And no higher.

13 CHAIRPERSON TIMMERMAN: Yeah.

14 MS. LAND: 10 feet from the ground?

15 CHAIRPERSON TIMMERMAN: Yeah.

16 MS. LAND: And 7 in the required front yard  
17 setback in the -- shall not be located in the front.

18 CHAIRPERSON TIMMERMAN: I would say front  
19 yard.

20 MS. LAND: Front yard of any residence or  
21 principal use?

22 MR. CORDONNIER: Probably say, "shall not  
23 extend past the..." --

24 MS. PARGEON: You don't want the glare.

1 MS. LAND: How did we say it in the Fences  
2 section?

3 MR. CORDONNIER: Yeah. I would probably use  
4 similar language to that. And, then, I would use  
5 "principal structure" -- "principal use."

6 CHAIRPERSON TIMMERMAN: It's not going to be  
7 in our book if we added that.

8 MS. LAND: That's right.

9 CHAIRPERSON TIMMERMAN: It would be in your  
10 computer at this point.

11 MS. LAND: I put it down here to check with  
12 the Fence language.

13 SECRETARY STACY: Check with Fence.

14 CHAIRPERSON TIMMERMAN: Is there any sense  
15 in making a comment, like, It should be roof-mounted  
16 when possible? I know -- I have a feeling that you're  
17 going to say you can't tell them where you can mount  
18 it, but I feel like they blend in better on a roof  
19 than a structure in the backyard.

20 MS. PARGEON: Well, you don't want any glare  
21 with cars driving by that blinds anybody in the  
22 process.

23 CHAIRPERSON TIMMERMAN: Right. I think  
24 that's touched very soon. That's the next -- I think

1 it's going to be 7.

2 MS. LAND: I think you can put a statement  
3 that says that you prefer roof-mounted to  
4 ground-mounted. I'm just not sure where to put it.

5 CHAIRPERSON TIMMERMAN: Okay. That was my  
6 statement. I want everybody else to be okay with  
7 that.

8 MS. PARGEON: Yeah.

9 SECRETARY STACY: I think it makes sense.

10 MS. PARGEON: That's a good idea.

11 MR. EVANS: It blends better.

12 MS. PARGEON: Yeah.

13 SECRETARY STACY: Yeah.

14 CHAIRPERSON TIMMERMAN: You're just making a  
15 note of it for right now and figure out where it goes.

16 MS. LAND: I'll figure out where to put it  
17 in.

18 CHAIRPERSON TIMMERMAN: Do we want to move  
19 on to No. 5, or do we want to -- I feel like the --  
20 yeah, let's just get through it.

21 SECRETARY STACY: Do we want to even -- they  
22 have a half acre. It should not exceed a half acre in  
23 size. Is that too much? Not enough?

24 CHAIRPERSON TIMMERMAN: I don't know how

1 much space the 10 kilowatts -- You have 10 kilowatts.  
2 I don't know how much space that would take up.

3 MR. CORDONNIER: We did some research  
4 because, initially, it was 1 acre. We pared it down  
5 from the research that we found that 1 acre of solar  
6 panels would be way more than 10 kilowatts, so we  
7 pared it down to half an acre. That's what I recall.  
8 You may want to -- do we need to add any words to that  
9 description? "Shall not exceed a half acre in size."  
10 To me, it's a little vague.

11 MS. LAND: I like vague. That's just me.

12 MS. PARGEON: Put on there, "for solar  
13 panels," "for solar system."

14 MS. LAND: Solar field. What do you call  
15 these?

16 MS. PARGEON: Solar field.

17 MS. LAND: Solar Energy System.

18 MR. CORDONNIER: Shall not be installed in  
19 an area greater than one-half acre.

20 CHAIRPERSON TIMMERMAN: A half acre, from  
21 your memory, seemed to match up with the 10 kilowatts?

22 MR. CORDONNIER: I think it was even  
23 smaller, but we erred on the side of caution in favor  
24 of the homeowner --

1 CHAIRPERSON TIMMERMAN: Okay.

2 MR. CORDONNIER: -- and put a half acre.

3 MR. EVANS: That's good.

4 MS. PARGEON: Yeah.

5 MR. CORDONNIER: I think it was more like a  
6 quarter of an acre.

7 MS. LAND: So if they want to spread them  
8 out a little, give them that opportunity.

9 MR. CORDONNIER: You need some wiggle room.

10 CHAIRPERSON TIMMERMAN: Do you want to keep  
11 going with No. 5?

12 MR. EVANS: Next page.

13 MR. CORDONNIER: Real quick. The setback,  
14 since it's 10 -- probably minimum setback should  
15 probably just be 10 feet because you can't exceed  
16 10 feet or 11 feet. No. This was assuming they could  
17 be taller than 10 feet, so it could be pared down and  
18 just say 10 feet.

19 CHAIRPERSON TIMMERMAN: I would just set it  
20 at 10 feet.

21 MR. CORDONNIER: Yeah.

22 CHAIRPERSON TIMMERMAN: 10-foot minimum.

23 MS. LAND: So it would read, The minimum  
24 setback distance from property lines for Solar Energy

1 Systems and related equipment shall be at least  
2 10 feet from nearest property line, period.

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MS. LAND: Okay.

5 CHAIRPERSON TIMMERMAN: Moving on.

6 MR. EVANS: Ready?

7 MS. LAND: Whenever you guys are ready.

8 MR. EVANS: 5. Solar Energy Systems shall  
9 be designed and located in order to prevent reflective  
10 glare toward any inhabited structure on adjacent  
11 properties, as well as adjacent street right-of-ways.

12 CHAIRPERSON TIMMERMAN: What is the  
13 limitation of "prevent"? Does that mean they need to  
14 have a fence that makes it so it's not possible?

15 MS. LAND: It could also, I think, be  
16 achieved by the direction that they are tilted --

17 CHAIRPERSON TIMMERMAN: For sure.

18 MS. LAND: -- for things like that.

19 CHAIRPERSON TIMMERMAN: But is "prevent" --

20 MS. LAND: You can't have --

21 CHAIRPERSON TIMMERMAN: -- complete?

22 MS. LAND: Yeah. But we can't request them  
23 to do something that would block the ability for the  
24 panels to be able to have light and a fence would do

1 that. So it has to be preventing by where they're  
2 positioned as opposed to something blocking them.

3 CHAIRPERSON TIMMERMAN: Right.

4 MR. CORDONNIER: As a person enforcing this,  
5 it's a great statement, and only in the most extreme  
6 cases does this actually fall into place. If you set  
7 them up -- like, because, I mean, if you put them on  
8 the pitch of the front of your roof, that's facing the  
9 right-of-way. So, I mean, this is a tough thing to  
10 enforce.

11 CHAIRPERSON TIMMERMAN: For sure.

12 MR. CORDONNIER: I'm just --

13 MS. LAND: I listened to a lot of experts.  
14 The engineers that were with the Power Siting Board,  
15 when they were discussing this when we were up there  
16 with the Cass and Washington Township stuff, had and  
17 they very little concern about light flash or any kind  
18 of -- that was not their big thing that they had any  
19 worry that that was going to happen. And I don't know  
20 why. I think they're set to absorb, not reflect, so  
21 they don't flash as much as one thinks they would  
22 because, even though they are glass, they suck light  
23 in; they don't bounce it off.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MR. CORDONNIER: I drive past the ones on  
2 224 all the time and I've never noticed that.

3 MS. LAND: I've never noticed a flash.

4 MR. EVANS: And those move.

5 MS. LAND: Are they articulated?

6 MR. EVANS: Seems like they are at different  
7 times of the day.

8 MR. CORDONNIER: I believe it is. I think  
9 it's just one way.

10 MR. EVANS: Yeah.

11 MS. LAND: I think that statement is good  
12 enough.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: It's up to you guys if you want  
15 to add something to it, but I'm afraid we might be  
16 sort of nitpicking ourselves into a corner.

17 MS. PARGEON: I suggest you leave it the way  
18 it is.

19 CHAIRPERSON TIMMERMAN: That's fine.

20 MS. LAND: Might not be the fence to die on.

21 MR. CORDONNIER: I agree leaving it, in case  
22 it does become, in a rare instance, it is a real issue  
23 for someone.

24 MS. LAND: Then you can address it.



1 MR. CORDONNIER: But for most cases, I would  
2 say it's not. It's there in case.

3 MS. LAND: Trying to identify it to regulate  
4 it before we know what that situation is, it's going  
5 to be almost impossible. We'll put something in there  
6 and something will come up that doesn't fit it, so  
7 it's better to leave that a little bit more vague to  
8 give you some more wiggle room when you're looking at  
9 it to decide, We need to require you to do this  
10 because you are not preventing glare.

11 Make sense?

12 CHAIRPERSON TIMMERMAN: Okay.

13 MR. EVANS: You would kind of think those  
14 Solar Energy System producers would keep glare to a  
15 minimum or if any -- like, no glare or any --

16 MS. LAND: They want to capture it; they  
17 don't want to reflect it.

18 MR. EVANS: That's going to be a problem.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. EVANS: Go on to 6.

21 6. A Solar Energy System shall not be  
22 constructed until applicable zoning and building  
23 permits have been approved and issued.

24 7. The design of the Solar Energy System

1 must conform to all applicable industry standards.

2 8. Solar Energy Systems and all solar  
3 energy equipment that are no longer functioning shall  
4 be completely removed from the property within  
5 12 months from the date they are not producing  
6 electricity, become damaged, discontinued, or broken.  
7 Any earth disturbance as a result of the removal of  
8 the ground-mounted Solar Energy System shall be graded  
9 and reseeded.

10 That's good.

11 SECRETARY STACY: So, in Delaware, I  
12 think -- was it three months?

13 CHAIRPERSON TIMMERMAN: Yeah. That's what I  
14 was just looking for.

15 SECRETARY STACY: The other thing is how  
16 would one know if a property owner really -- if it  
17 wasn't producing electricity, or if it really -- and  
18 when it says "damaged," I mean, are you talking about  
19 a little chip? Are you talking about a large -- you  
20 know what I'm saying?

21 MS. PARGEON: A storm coming through with a  
22 tornado.

23 SECRETARY STACY: Well --

24 MS. LAND: Big hail.

1 MS. PARGEON: Yes, with the hail.

2 SECRETARY STACY: It seems to be somewhat  
3 subjective.

4 MR. CORDONNIER: And how do you know a house  
5 is vacant? Those are -- these are the same  
6 challenges.

7 MS. LAND: Although, with something like  
8 this, I think we could put in there that there's a  
9 responsibility that they continue to give -- you know,  
10 annually or semi-annually, they have to provide the  
11 zoning inspector with proof that it's still  
12 operational.

13 MR. CORDONNIER: Yeah, you can do that.

14 SECRETARY STACY: Okay.

15 MS. LAND: So do you want to add that on  
16 there?

17 MS. PARGEON: Yes. Yes.

18 MR. CORDONNIER: The City of Findlay's Wind  
19 Turbine Section, it goes on to state -- and I don't  
20 know if townships have the same authority as the  
21 City -- the City can remove, and, then, assess their  
22 property taxes.

23 MS. LAND: Yeah. No, we can't do that.

24 They have a statutory ability to remove things, but

1 it's a very specific process to go through, and, they  
2 would have to prove it's junk. Blah, blah, blah.

3 MR. CORDONNIER: Okay.

4 MS. LAND: It's like removing a car.

5 Do we want to leave in the part that they  
6 have to reseed the area? What happens if they pull it  
7 out and they want to put a pool in there, or they want  
8 to build a gazebo over that spot? I mean, it's their  
9 backyard.

10 SECRETARY STACY: Uh-huh.

11 CHAIRPERSON TIMMERMAN: Unless this is  
12 not -- unless this is going to be inclusive for the  
13 principal uses -- principal use solar system. Then it  
14 wouldn't be necessarily their backyard for a pool. It  
15 would be --

16 MS. LAND: It could be a non-accessory. It  
17 could be a different place.

18 CHAIRPERSON TIMMERMAN: Right.

19 MR. CORDONNIER: Getting it removed is the  
20 Wind, if it's reseeded or not.

21 MS. PARGEON: Just as long as it's gone.

22 MS. LAND: It's up to you guys.

23 CHAIRPERSON TIMMERMAN: I would entertain if  
24 you have an idea on something, but I don't know.

1 MS. LAND: We could identify specifically  
2 for non-accessory uses, that's what -- that seeding is  
3 required.

4 I just have a little bit of heartburn  
5 telling people if they take something out of their  
6 backyard what they need do with their grass then.  
7 That's a little bit overstepping your boundaries.

8 CHAIRPERSON TIMMERMAN: Yeah.

9 MR. CORDONNIER: And the zoning inspector is  
10 not going to go back and see if it's reseeded.

11 MS. LAND: Cannot go back because you guys  
12 are still a public entity, and they are your enforcer.  
13 If they don't have probable cause to be able to get  
14 onto the property, or invited on, they can't go poking  
15 around to see things. That's why we want to add in  
16 here that the property owner has to, you know, confirm  
17 to them every -- probably every two years.

18 MS. PARGEON: That the object has been  
19 removed --

20 MS. LAND: Or that it's still functioning.

21 MS. PARGEON: -- if it's not working. Yeah.  
22 Still functioning.

23 MS. LAND: Which would then -- you know,  
24 it's my two-year report, and I say, Oh, yeah. No,

1 it's not working, my 12 months start running, or my  
2 three months, whatever you put in there.

3 At that point, the zoning inspector is  
4 involved. They've already made the first contact and  
5 have given them the rule. Oh, if it's not working,  
6 you've got three months. Let's get it out of there,  
7 and I'll be back on this date to check if it's gone.  
8 I think it's a good tool to keep on top of it.

9 CHAIRPERSON TIMMERMAN: Yeah.

10 MS. LAND: Do you want to put that in there?  
11 Add that language?

12 MS. PARGEON: Yes.

13 MS. LAND: And, then, we'll come back to the  
14 seeding thing.

15 MS. PARGEON: That way, it doesn't turn into  
16 an instant little junkyard.

17 MS. LAND: How often? Annually?  
18 Biannually?

19 CHAIRPERSON TIMMERMAN: I think requiring it  
20 yearly is -- I don't want to call it a nuisance, but  
21 at some level, I think every other year, to me, is  
22 acceptable.

23 MR. CORDONNIER: Agreed. Just from an  
24 enforcement standpoint.

1 MS. LAND: That's a lot to put on your  
2 zoning inspector.

3 CHAIRPERSON TIMMERMAN: Right.

4 MR. EVANS: I don't know. You kind of  
5 wonder if it's not functioning anymore if somebody's  
6 going to let the grass grow. And, then, if you see  
7 the grass is 6 feet tall, then, okay, it's not  
8 working. You don't have to guess whether or not it's  
9 working.

10 MS. LAND: Or if you can visibly see that  
11 it's been damaged, then the zoning inspector can go  
12 knock on the door and say, What's going on here? Get  
13 this fixed. If you don't get it fixed, you have three  
14 months to get rid of it because they have probable  
15 cause then to believe that it's not working. If they  
16 prove to him it's working, then we walk away, and say,  
17 Sorry. It was our mistake.

18 CHAIRPERSON TIMMERMAN: Yes.

19 MR. CORDONNIER: I agree. I think this is  
20 more -- that statement is a little more geared  
21 towards, you know, a 100-acre facility.

22 CHAIRPERSON TIMMERMAN: Right.

23 MR. CORDONNIER: The company stopped using  
24 it, and, you know, that kind of thing.

1 MS. LAND: Yeah.

2 MR. CORDONNIER: But it's good to have in  
3 there for the property owners, for the one property  
4 owner out of 50 that would leave it there for the next  
5 30 years.

6 MS. LAND: Okay. Now, what about the  
7 seeding? Leaving that or not?

8 MR. CORDONNIER: I say remove it.

9 CHAIRPERSON TIMMERMAN: Yeah.

10 MS. LAND: We could make a -- you know, make  
11 this 9 and say, In non-accessory Solar Energy Systems,  
12 any earth disturbance as a result of removal of  
13 ground-mounted solar energy systems shall be graded  
14 and reseeded.

15 MS. PARGEON: Okay.

16 MS. LAND: Make it another paragraph.

17 CHAIRPERSON TIMMERMAN: For principal uses?

18 MS. LAND: For non-accessory uses.

19 CHAIRPERSON TIMMERMAN: So if it's a  
20 residential use, they would have to reseed it?

21 MS. LAND: No, that's an accessory use.

22 CHAIRPERSON TIMMERMAN: You said "non."

23 Sorry.

24 MS. LAND: Non-accessory. The principal --



1 whatever we called them.

2 MR. CORDONNIER: Are we going to make  
3 another section for principal uses that echos a lot of  
4 that. And, then, I think --

5 MS. LAND: Okay.

6 MR. CORDONNIER: -- for non-principal uses,  
7 the site plan calls for more --

8 MS. LAND: All right.

9 MR. CORDONNIER: -- you know, calls for  
10 more --

11 MS. LAND: More than just seeding.

12 MR. CORDONNIER: Well, it calls  
13 specifically -- I mean, the site plan, for a property  
14 owner, they have limitations. They don't have an  
15 engineer. They don't have -- and you're not going to  
16 get for high-level or low-level type thing.

17 But for a principal use, I think the site  
18 plan request would be more detailed. You know,  
19 drainage was written on this one. You know, drainage  
20 and different things like that.

21 CHAIRPERSON TIMMERMAN: Do we want to move  
22 on to Section 9 then?

23 MS. LAND: But 8, to make clear, we've taken  
24 out the seeding stuff. We are adding that the

1 property owners need to verify every other year or  
2 every two years. Okay.

3 MR. EVANS: 9. A site plan shall be  
4 submitted at the time of application and shall  
5 include:

6 A. Property lines and physical dimensions  
7 of the site.

8 B. Location of Solar Energy Systems and all  
9 related equipment, setbacks from property lines, above  
10 and underground utility lines, easements, and any  
11 structures on the property. Also show location of  
12 sewage treatment facil -- or systems.

13 C. Location of any required signage.

14 D. Elevation of the proposed Solar Energy  
15 System at its maximum tilt.

16 E. Location of trees within a 50-foot  
17 radius of the proposed Solar Energy System.

18 F. Manufacturer's specifications, including  
19 make, model, and picture.

20 G. Scale drawing, no smaller than 1 inch  
21 equals 100 feet.

22 MR. CORDONNIER: I think you strike E.

23 I don't see -- I don't think there's any good reason  
24 for them to have to document where the trees are. If

1 they want to put it under a tree, they are more than  
2 welcome.

3 MS. LAND: I'm a little concerned about C.  
4 What required signage?

5 SECRETARY STACY: Well, I have a question.  
6 I said, if we're using it for personal use, why would  
7 you have signage on it?

8 MS. LAND: Right. This, I think, is  
9 something -- some of these things might be more likely  
10 used in the principal use or accessory use --  
11 non-accessory use.

12 MR. CORDONNIER: I'd say strike C. Strike  
13 E. And, then, the scaled drawing is 1:100.

14 MS. LAND: That's pretty small.

15 MR. EVANS: Yeah.

16 MR. CORDONNIER: If it's for a yard  
17 that's -- if it's for a lot that's 200 --

18 CHAIRPERSON TIMMERMAN: Yeah.

19 MR. CORDONNIER: -- feet wide, that's  
20 2 inches.

21 MR. EVANS: 2 inches.

22 MR. CORDONNIER: What you'll see is most  
23 people will go to the auditor's website, print off the  
24 aerial with their property lines, and, then --

1 CHAIRPERSON TIMMERMAN: Dimensions.

2 MR. CORDONNIER: -- get the dimensions from  
3 that.

4 MS. LAND: Which is such a bad thing to do  
5 because there's drift on those pictures and your lines  
6 are not where your lines are.

7 MR. CORDONNIER: Yes. Or better yet,  
8 they're surveyed from when they purchased the home.

9 MS. LAND: Yes.

10 MR. CORDONNIER: But you'll get people  
11 coming in with napkins, saying, "I want this here."  
12 To me, I would just strike the scale.

13 MS. LAND: I actually have a file in my  
14 office that came from Soil and Water a long time ago  
15 and it's written on the back of a Wilson's Burger  
16 thing. It's in the file. It's a public record now.  
17 I'm just afraid we're going to a draw roaches  
18 sometimes.

19 CHAIRPERSON TIMMERMAN: Is that something --  
20 let's pretend they come with their proposed drawing.  
21 If it's just too small to make stuff out, is that  
22 something you'd say, Hey, I've got to get me  
23 something.

24 MR. CORDONNIER: I need a better drawing.

1 CHAIRPERSON TIMMERMAN: Yeah.

2 MS. LAND: We can put 1 inch to something  
3 less than 100 hundred feet, couldn't we?

4 MR. CORDONNIER: Well, this is a little bit  
5 of my -- this is my -- show my ignorance. No smaller  
6 than 1:100, so -- but is 1:50 smaller?

7 MS. LAND: No, that's bigger.

8 MR. CORDONNIER: It's smaller. No, I know.  
9 It just --

10 MS. LAND: It's a bigger drawing.

11 MR. CORDONNIER: It's a bigger drawing.

12 MS. LAND: Yeah.

13 MR. EVANS: So it would take 4 inches to do  
14 the 200 feet, instead of --

15 CHAIRPERSON TIMMERMAN: I think pulling up  
16 the scale really makes it tough. I remember when we  
17 were building our house it was probably for the septic  
18 system and I had to draw it out.

19 MR. CORDONNIER: Health Department.

20 CHAIRPERSON TIMMERMAN: It didn't fit well  
21 on the page because of the scale. I'm, like -- so  
22 I ultimately created a different scale, and they  
23 accepted it. But, like, trying to follow a fixed  
24 scale when you don't know the rest of the parameters

1 is really tough. I would probably just say a scaled  
2 drawing.

3 MR. CORDONNIER: Or you could be -- how  
4 about a scaled drawing that conveys all the necessary  
5 information in a clear manner?

6 MS. LAND: And identifying dimensions or  
7 distances. Because, you know, like, if they put it --  
8 it looks like it's way far from the house, and it  
9 turns out it's only 10 feet from the house, that may  
10 matter to you guys.

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: People don't always have drawing  
13 skills.

14 MR. CORDONNIER: You just don't want  
15 residents to have to hire a surveyor --

16 CHAIRPERSON TIMMERMAN: Exactly.

17 MS. LAND: For something like this.

18 MR. CORDONNIER: -- to do a \$3,000 map for a  
19 shed.

20 CHAIRPERSON TIMMERMAN: Right. I think you  
21 were spot on saying a scaled drawing that conveys --

22 MR. CORDONNIER: Clearly conveys all  
23 pertinent information.

24 CHAIRPERSON TIMMERMAN: Right.

1 MR. CORDONNIER: And, then, the zoning  
2 inspector can say, if it really gets to be tit and  
3 tat, it needs to be clear.

4 MS. LAND: Or you could say, There's not all  
5 pertinent information. I need more info.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MR. CORDONNIER: I've got about six minutes  
8 left. Do you have any questions for me?

9 CHAIRPERSON TIMMERMAN: The countdown is on.

10 MS. LAND: Carload of guys.

11 MR. CORDONNIER: I'm nerdy. This is my job.  
12 I like doing this stuff, but I've got carpool again.

13 CHAIRPERSON TIMMERMAN: Somewhere I read on  
14 something where it said that all power lines and stuff  
15 need to be underground. Do we have something like  
16 that in here in this one or did I read that somewhere  
17 else? If we're saying everything has to stay under  
18 10 foot, you know, you don't really want power lines  
19 under 10 foot. That's a safety issue at that point.

20 MS. LAND: Don't want clothesline soccer  
21 players in the backyard.

22 CHAIRPERSON TIMMERMAN: Voltage. I think  
23 probably something that says the -- you know, all the  
24 power -- you know, I don't even know what the verbiage

1 would be. But --

2 MR. CORDONNIER: It would be interesting to  
3 know the standards that AEP and Hancock-Wood Electric,  
4 because they have their own set of guidelines when  
5 you're installing this stuff and I'm guessing that  
6 that's one of them.

7 CHAIRPERSON TIMMERMAN: Do we need to have  
8 that in here that you have to follow --

9 MR. CORDONNIER: Well, that's --

10 CHAIRPERSON TIMMERMAN: -- guidelines? Do  
11 we have that?

12 MR. CORDONNIER: -- the industry standards.

13 MS. LAND: They say industry standards.

14 MR. CORDONNIER: And you may want to say,  
15 Industry standards and those of the local power  
16 utility, or something like that.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MR. CORDONNIER: That wasn't eloquently  
19 said, but that's what -- to me, the industry standards  
20 are the people that manufacture it. And, then, local  
21 power utility would be AEP or Hancock-Wood because  
22 I know they do have a decent list of things that you  
23 have to do in order to connect.

24 CHAIRPERSON TIMMERMAN: Okay. Do we want to



1 look at this from a non-accessory or primary use then?

2 MS. LAND: Probably.

3 CHAIRPERSON TIMMERMAN: So you're saying  
4 that that first sentence where it says, Non-accessory  
5 is not permitted, that's a bad strategy because you  
6 have to allow it? You're allowed to put limitations  
7 on it, but you have to allow it?

8 MS. LAND: Yeah. Reading through this, it  
9 gets a little confusing. Maybe it's just my brain  
10 that works this way. When I get the definitions,  
11 these won't be here. These will be stuck up into the  
12 regular Definitions list.

13 So, then, we're skipping over all of that.

14 Before we get to Section 22 here, where it  
15 says Battery Storage Facilities, that's where we want  
16 to put in --

17 CHAIRPERSON TIMMERMAN: Principal uses.

18 MS. LAND: -- principal uses.

19 CHAIRPERSON TIMMERMAN: Yeah.

20 MS. LAND: And we have a definition of it.  
21 Are we happy with that definition?

22 CHAIRPERSON TIMMERMAN: To me, it basically  
23 says anything more than 10 kilowatts. It does not say  
24 "on site" anymore.

1 MS. LAND: Because they wouldn't be for  
2 these. They could be out in the middle of nowhere.

3 The problem is -- or the thing is, I think  
4 we need to add in here, not exceeding 50 megawatts,  
5 because that's where we give that nod to the statute  
6 that says we can regulate small wind and solar farms.  
7 The small solar is 50 megawatts or under.

8 CHAIRPERSON TIMMERMAN: We're not allowed to  
9 regulate large?

10 MS. LAND: No. That goes to the State to  
11 the Ohio Power Siting Board. Right now, anything --  
12 the reason -- they changed the law about a year ago,  
13 actually right at the end of '22. Literally, like,  
14 the 29th of December, they signed this law that said,  
15 anything up to -- or up to 5 for wind and up to 50 for  
16 solar could be regulated by the local facility -- or  
17 local groups through zoning. That's where that's  
18 regulated.

19 Up until that point, wind up to 5 megawatts,  
20 and solar up to 50 weren't regulated by anybody. So  
21 this is the only place there will be any ability to  
22 regulate is through local zoning.

23 CHAIRPERSON TIMMERMAN: That's that  
24 Senate Bill 52?

1 MS. LAND: It might be.

2 CHAIRPERSON TIMMERMAN: Okay.

3 MS. LAND: I don't know the bill number.

4 But...

5 FROM THE FLOOR: It is Senate Bill 52.

6 CHAIRPERSON TIMMERMAN: Okay. So you're  
7 saying principal use would basically mean off-site?  
8 Is that --

9 MS. LAND: Well, it could be on site, I  
10 guess.

11 MR. CORDONNIER: Could be on site.

12 CHAIRPERSON TIMMERMAN: Can you require it  
13 to be on site?

14 MS. LAND: No, because they may be selling  
15 it to a grid and not using it on site.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. LAND: We're saying accessory uses have  
18 to be used on site and located on site. That makes  
19 sense. It's an accessory to the use you currently  
20 have.

21 Non-accessory, by definition, means it's not  
22 related to what's around it. It's its own  
23 freestanding thing. If it's there, then chances are  
24 good that it's feeding into a grid somewhere or, you

1 know, a battery system or being sold directly to a  
2 user, like, to a business beside it; so you can't  
3 really say they have to be on site.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: It still has that 10 kilowatts in  
6 there, though, "...which has a rated capacity of more  
7 than 10 kilowatts."

8 It could have a rated capacity of  
9 1 kilowatt. If it's not an accessory use, it's still  
10 a non -- it's still a principal use. So I'm not sure  
11 that we want to say more than 10 kilowatts. We want  
12 to say less than 50 kilowatts -- megawatts. Less than  
13 50 megawatts.

14 CHAIRPERSON TIMMERMAN: Okay. I see what  
15 you're saying.

16 SECRETARY STACY: We're going to have  
17 another set of eyes just to kind of --

18 MS. LAND: Yeah. Because I'm trying to  
19 think this through. I'm thinking out loud and that's  
20 not always that effective.

21 Unless you don't want to permit as much  
22 as 50. I think the statute says, by zoning, you have  
23 the ability to regulate them, small wind farms, small  
24 solar farms, less than those thresholds. It doesn't

1 say that they have to be able to go up to that  
2 threshold.

3 So you might be saying that we're not going  
4 to allow anything more than 20 megawatts -- or, you  
5 know, 10 is real tiny. So you might want to say, you  
6 know, 50 kilowatts instead of 50 megawatts, which is a  
7 tenth of what is the --

8 SECRETARY STACY: Right.

9 CHAIRPERSON TIMMERMAN: So we would be  
10 limiting them, but they have to stay smaller?

11 MS. LAND: Smaller to be able to be here.  
12 Yeah.

13 CHAIRPERSON TIMMERMAN: I think that is a  
14 good thing.

15 SECRETARY STACY: I do, too.

16 MS. LAND: Now, what that number is, that's  
17 something you guys need to work out.

18 SECRETARY STACY: Thank you, Matt.

19 MR. EVANS: Thanks, Matt.

20 MS. LAND: Have a good time. Make sure you  
21 keep your windows open.

22 MR. CORDONNIER: You know, they were  
23 completely dry. It wasn't raining.

24 MS. LAND: It's not the rain that was the

1 problem.

2 (Mr. Cordonnier left the proceedings.)

3 MS. LAND: I don't have any recommendation  
4 for you for that. That's something you guys need to  
5 talk through and work out.

6 CHAIRPERSON TIMMERMAN: I think 50 megawatts  
7 sounds huge.

8 MS. LAND: It is big.

9 CHAIRPERSON TIMMERMAN: I don't think  
10 anybody --

11 SECRETARY STACY: Right.

12 MS. LAND: One of the -- the huge ones that  
13 are going in up -- is only like 90, and the other one  
14 is 120, I think.

15 CHAIRPERSON TIMMERMAN: Megawatts?

16 MS. LAND: Megawatts. So it could be half  
17 of that, and I think that's 800 acres.

18 CHAIRPERSON TIMMERMAN: 800 acres is  
19 50 megawatts?

20 MS. LAND: I think so. No, that's what the  
21 120 was. So you could end up with 100 acres.

22 CHAIRPERSON TIMMERMAN: You just said how  
23 many acres? 800 for the other one?

24 MS. LAND: Maybe the two combined were about

1 800. It was a lot of acres. I think 50 megawatts  
2 could take up quite a lot of acres because a half acre  
3 could create more than 10 kilowatts.

4 SECRETARY STACY: Right.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: You know, if you want to --  
7 somebody has to sit down and math that out, you know,  
8 for what size and how much you want to be. Sort of  
9 back into it. You don't want any more than 5-acre  
10 fields, then, you can figure out how much that would  
11 produce, and, then, make that your limit. Make sense?

12 SECRETARY STACY: Yeah.

13 MS. LAND: It's an approach. I don't know  
14 if it's a -- not the only one. I don't know if it's a  
15 good one, but it's an approach.

16 SECRETARY STACY: I understand what you're  
17 saying.

18 CHAIRPERSON TIMMERMAN: So by my quick math,  
19 .02 megawatts per acre, does that sound right, Chris?  
20 You're the math guy.

21 FROM THE FLOOR: Yeah, that sounds right.

22 CHAIRPERSON TIMMERMAN: .02 megawatts per  
23 acre, so 10 acres is .2 megawatts.

24 MS. LAND: Wow. It takes a lot of ground to

1 be able to produce a small amount.

2 CHAIRPERSON TIMMERMAN: How does this even  
3 make sense to do these?

4 MS. LAND: Once you start putting it in that  
5 kind of -- it's a more visual thing.

6 CHAIRPERSON TIMMERMAN: Yeah. So 100 acres  
7 is going to be 2 megawatts.

8 SECRETARY STACY: 100 acres are needed to  
9 make 2 megawatts.

10 MS. LAND: That's something to run past that  
11 engineer because that doesn't seem right.

12 MR. EVANS: Better double check that.

13 CHAIRPERSON TIMMERMAN: So, I mean, could we  
14 put it on an acreage rather than on a wattage  
15 regulation? We all understand better what an acre  
16 looks, rather than what a megawatt looks like.

17 MR. EVANS: Because if all of a sudden  
18 you're talking 80 acres or 100 acres, we can visualize  
19 that.

20 CHAIRPERSON TIMMERMAN: We know that's a  
21 lot. Right.

22 MS. LAND: So you'd rather have 2 or 5 or  
23 10?

24 MR. EVANS: We'll have to discuss this.



1 There must be some number.

2 CHAIRPERSON TIMMERMAN: An impossible  
3 number.

4 MR. EVANS: Yeah.

5 MS. LAND: It's going to be arbitrary,  
6 whatever you pick because --

7 CHAIRPERSON TIMMERMAN: It is.

8 MS. LAND: -- you're just trying to find a  
9 size limit. It's the -- The basis and the intent that  
10 you have down in your first Mission Statement in the  
11 book, though, is to promote the orderly growth and  
12 development, while still preserving the agricultural  
13 aspects of the township. So if you want to limit it  
14 to take up less acreage, it makes sense to be able to  
15 do that to protect the agricultural property.

16 MS. PARGEON: Definitely.

17 MR. EVANS: I agree. We wouldn't look very  
18 good if we turned 1,000 acres over.

19 CHAIRPERSON TIMMERMAN: I don't think  
20 anybody wants that to happen.

21 MR. EVANS: No. That goes against our  
22 Mission Statement.

23 CHAIRPERSON TIMMERMAN: Right. So what's an  
24 acceptable size?

1 MR. EVANS: Right.

2 CHAIRPERSON TIMMERMAN: What's your number?  
3 Putting you on the spot.

4 MR. EVANS: No. I've got to think about  
5 that. That's something I have to think about. And  
6 are you talking about per person, per user?

7 CHAIRPERSON TIMMERMAN: I don't think it's  
8 per. Well, this would go back into if you do micro  
9 grids.

10 MS. LAND: Uh-huh. Yeah, they could.

11 CHAIRPERSON TIMMERMAN: How do you get  
12 around that? Or how do we prevent that is a better  
13 way to say that?

14 MS. LAND: Limit the distance they can be  
15 close together. Similarly to the way we did it with  
16 ponds; that instead of being able to have one big  
17 pond, you know, we don't want them to having a bunch  
18 of smaller pods, but they have to have a certain  
19 distance between each pond. So they can't have more  
20 than one pond per parcel. It has to be at least  
21 X amount of distance apart.

22 You could say, you know, the principal use  
23 Solar Energy Facility, couldn't be more than 5 acres,  
24 and there can't be more than two within a 100-acre

1 span. Something to that effect.

2           Somebody's got to keep track of it because  
3 it's a bit of a formula, but that's one way. I don't  
4 know how else you can prevent somebody.

5           I agree with Matt that, you know, the  
6 Subdivision Regs are going to stop them splitting.  
7 But if they buy lots of parcels that aren't split off  
8 of the others, they could really stack them up.

9           CHAIRPERSON TIMMERMAN: Right. So limit  
10 them to -- I mean, 2 acres is a lot of solar. My lot,  
11 for anybody that's been over by my house, is 2 and a  
12 half acres. So, basically, my lot size. That's a lot  
13 of solar.

14           SECRETARY STACY: Yeah.

15           MS. LAND: 2 acres is a lot, especially when  
16 you're mowing it. I mean, it's an area.

17           CHAIRPERSON TIMMERMAN: Yeah. And who wants  
18 that next to their house?

19           MS. PARGEON: Yeah.

20           CHAIRPERSON TIMMERMAN: Anybody out there  
21 want to chime in?

22           FROM THE FLOOR: Have you considered, with  
23 solar, the distance from any inhabitable building?

24           When we went to Seneca County and talked

1 years ago, when they wanted to put in wind turbines,  
2 they said that they had to stay at least 1,500 feet  
3 from any creek, inhabitable building, like a barn, a  
4 house, you know, a shed, anywhere that people could  
5 be, so that if a wind turbine fell over or had  
6 problems with blades flying off, or whatever, in a  
7 windstorm, it wasn't going to kill somebody nearby.

8 I haven't heard anything about that --

9 SECRETARY STACY: We haven't --

10 FROM THE FLOOR: -- regarding the distances.

11 CHAIRPERSON TIMMERMAN: You could still make  
12 it that it could be up to 2 acres, but it has to be a  
13 distance away from any residential.

14 FROM THE FLOOR: You would think with the  
15 different kinds and sizes of wind turbines are going  
16 to have different kilowatts, or whatever, per each  
17 one, so I think you need to do more research.

18 MS. PARGEON: We're talking solar.

19 CHAIRPERSON TIMMERMAN: We're talking solar  
20 at this moment.

21 MS. LAND: We haven't gotten to wind at all  
22 yet.

23 MS. PARGEON: Yeah. We're not there yet.

24 FROM THE FLOOR: Still on the solar.

1 FROM THE FLOOR: I think they need to look  
2 at those -- kind of hit on something about the health  
3 aspects. So anything more than half an acre, I mean,  
4 is this going to have anything that's going to the  
5 wildlife or the health aspects of people living near  
6 that?

7 Especially -- okay. So when we think of  
8 solar panels, if they crack or leak, could that get  
9 into our water and wells? We don't have water out  
10 here. So could that possibly leak into the ground,  
11 which would even go into, you know, a well or  
12 contaminate somebody else's.

13 So there's a health aspect to this. So if  
14 you keep it smaller, the half acre, that's a little  
15 more manageable. I mean, you can't force people to  
16 take care of their solar panels properly. That's  
17 something that they're going to have to do on their  
18 own. But, yet, you're left with the aftermath if  
19 they're cracked. I mean, birds divebomb those things.  
20 They could get cracked.

21 MS. LAND: I think all you really need --  
22 the only thing I think that we need to get input right  
23 now on is size and --

24 CHAIRPERSON TIMMERMAN: Size and spacing.

1 MS. LAND: The rest of that, you know, is  
2 debate for a different time. But thank you, though.

3 FROM THE FLOOR: I agree that a half acre is  
4 plenty. I mean, you're talking an acre of solar  
5 panels is a lot.

6 CHAIRPERSON TIMMERMAN: It's a lot.

7 FROM THE FLOOR: Everybody knows the life  
8 expectancy -- you can Google it and look it up -- it's  
9 10 to 15 years. They will leak. It's not "if." They  
10 will leak and they will crack. So they're going to  
11 contaminate their own land is what they are going to  
12 do.

13 CHAIRPERSON TIMMERMAN: Well, and  
14 neighboring.

15 FROM THE FLOOR: And neighboring.  
16 Especially with wells. She makes a great point. A  
17 lot of people have wells out here. We do.

18 CHAIRPERSON TIMMERMAN: Yeah. Okay.

19 Can we use just do a half acre?

20 FROM THE FLOOR: I just -- I don't know how  
21 you're breaking that up. So it's a half acre per  
22 parcel, or is it something more along the lines of how  
23 they regulate the billboard density in Findlay where  
24 they say you can't have another one within 1,000 feet

1 of an existing one. Can you limit it by that so it's  
2 a half acre --

3 CHAIRPERSON TIMMERMAN: And the distance.

4 FROM THE FLOOR: -- with no more -- and you  
5 can't be within "X" number of feet? What that is,  
6 that's up to you folks.

7 MS. LAND: Yeah. That's why they're going  
8 to work out a formula for the density. That's exactly  
9 what the word is.

10 Some townships have some pretty complicated  
11 density formulas for where houses go in Agricultural  
12 Districts. You can work out the same kind of thing  
13 for principal use Solar.

14 CHAIRPERSON TIMMERMAN: I think --

15 MR. EVANS: I think it makes the most sense.

16 MS. PARGEON: It does.

17 MR. EVANS: Look at the size of it.

18 MS. PARGEON: It makes more sense.

19 CHAIRPERSON TIMMERMAN: I'd limit the size  
20 and their --

21 MR. EVANS: How many thousand feet or how  
22 many feet it has to be away from another house or  
23 creek. All of that sort of thing.

24 MS. PARGEON: Good points brought up.

1 CHAIRPERSON TIMMERMAN: Yeah.

2 MR. EVANS: Most of us are on wells.

3 FROM THE FLOOR: Why can't we just make it a  
4 quarter of an acre?

5 SECRETARY STACY: I was going to bring that  
6 up.

7 MS. PARGEON: That sounds good.

8 SECRETARY STACY: How about taking it down?

9 FROM THE FLOOR: I think also the elevation  
10 of it vertically. You could put it in the Principal  
11 Use section. That's going to be important, too. So  
12 you can have them on half an acre, but someone's going  
13 to try to stack them.

14 CHAIRPERSON TIMMERMAN: I see what you're  
15 saying.

16 MS. LAND: They're going to put a height  
17 limit.

18 CHAIRPERSON TIMMERMAN: A height limit.

19 FROM THE FLOOR: Correct. Yeah. That will  
20 have to be another thing to go into it to make sure  
21 because that's going to be higher than your  
22 residential. But it will be --

23 CHAIRPERSON TIMMERMAN: Yeah.

24 FROM THE FLOOR: Also just something to kind



1 of keep in consideration with this, I've been looking  
2 a lot lately into, like, solar roofs and how much they  
3 can power -- like, an entire solar roof, the newer  
4 ones, they can power an entire house just fine.

5 And so you think about, like, what the roof  
6 size -- what the standard roof size is on a home, you  
7 know, that's nowhere near a half acre, quarter acre;  
8 so that should be more than enough. Like, more than  
9 adequate for any sort of personal use.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 FROM THE FLOOR: And that --

12 MS. LAND: The thing is, what you're looking  
13 at with the principal uses, though, are not personal  
14 use and not residential use, if somebody wants to do  
15 it commercially to sell electricity.

16 CHAIRPERSON TIMMERMAN: Yeah.

17 MS. LAND: I get that, you know, the way you  
18 have worked out your accessory uses, I think you're in  
19 good shape there. You've got everything sorted out  
20 well.

21 But you've got to look at some little bit  
22 different aspects when you're looking at the  
23 commercial use. I know it's called permitted use, but  
24 it's technically the permitted use, not for personal

1 use.

2 CHAIRPERSON TIMMERMAN: Right.

3 MS. LAND: You know, the lot size, maybe you  
4 can get an idea from talking to your engineer friend  
5 about --

6 CHAIRPERSON TIMMERMAN: He's been out of the  
7 solar stuff for a lot of years.

8 MS. LAND: So that may be a problem.

9 CHAIRPERSON TIMMERMAN: I don't know how  
10 relevant his -- because technology has changed so  
11 much --

12 MS. LAND: No kidding.

13 CHAIRPERSON TIMMERMAN: -- you know, with  
14 how efficient they are. It's got to be different.

15 SECRETARY STACY: And are we required to  
16 allow for commercial?

17 MS. LAND: Yes.

18 CHAIRPERSON TIMMERMAN: For the principal  
19 use.

20 MS. LAND: For the principal use.

21 We can't say there can be none. We have to  
22 have -- we have to permit them. I think they should  
23 only be permitted in I-2. They should still be a  
24 Conditional Use, and, then, they also have to have,

1 you know, that density issue they were talking about.

2 SECRETARY STACY: Right.

3 MS. LAND: Put that in there. Instead of  
4 trying to pound all of that out right now, how about  
5 if I -- I've got a number of things that were  
6 requirements that the Ohio Power Siting Board required  
7 when they are reviewing commercial aspects. I'll look  
8 at what some of their things are, you know, for the  
9 distance from residences, roads, creek, wetlands, and  
10 how they handle the stuff with animals and wildlife,  
11 and maybe I can -- for the next time, I'll come in  
12 with that. Okay?

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: So we can go on to something  
15 else, and we'll come back to this one and revisit it  
16 the next time. The thought that we can get Wind and  
17 Solar done in one meeting is crazy.

18 CHAIRPERSON TIMMERMAN: Not going to happen.

19 MS. LAND: It's not going to happen.

20 CHAIRPERSON TIMMERMAN: We're already at  
21 6:40.

22 MS. LAND: And we still have to have an  
23 Executive Session.

24 CHAIRPERSON TIMMERMAN: Are you implying --

1 MS. LAND: Let's look at the Battery Storage  
2 Facility stuff.

3 CHAIRPERSON TIMMERMAN: Yes.

4 MR. EVANS: Go ahead and read?

5 CHAIRPERSON TIMMERMAN: Sure.

6 MR. EVANS: New Section 22. Battery Energy  
7 Storage Facilities.

8 The purpose of this article is to provide  
9 regulations for the safe and effective construction  
10 and operation of Battery Energy Storage Facilities in  
11 Washington Township, subject to restrictions which  
12 will preserve the public health and safety. Energy  
13 Storage Facilities are a Conditional Use in the  
14 I-1 Industrial District.

15 No person shall cause, allow, or maintain  
16 the use of a Battery Energy Storage Facility without  
17 first having obtained a Conditional Zoning Certificate  
18 from the Board of Zoning Appeals.

19 Application for a Conditional Zoning  
20 Certificate shall be submitted to the zoning inspector  
21 and forwarded to the Board of Zoning Appeals.

22 Required setbacks. The minimum setback from  
23 any property line shall be 1,000 feet for a  
24 non-accessory Battery Energy Storage Facility.

1           Definitions: Accessory Battery Energy  
2 Storage Facility.

3           A system used to store electrical energy as  
4 chemical energy and convert it back to electrical  
5 energy as needed.

6           A facility is considered an Accessory  
7 Battery Energy Storage Facility only if it supplies  
8 electrical or thermal power solely for on-site use.  
9 Accessory Battery Energy Storage Facilities of must  
10 have -- must -- maybe "of" isn't suppose to be there.

11           SECRETARY STACY: I think -- yeah. Cross  
12 that out.

13           MR. EVANS: Accessory Battery Energy Storage  
14 Facilities must have a rated capacity of 10 kilowatts  
15 or less to be considered an accessory use.

16           Non-Accessory Battery Energy Storage  
17 Facility.

18           A system used to store electrical energy as  
19 chemical energy and convert it back to electrical  
20 energy.

21           A facility is considered a non-accessory  
22 Battery Energy Storage Facility if it supplies  
23 electrical or thermal power solely for off-site use.  
24 Non-accessory Battery Energy Storage Facilities have a

1 rated capacity of more than 10 kilowatts.

2 CHAIRPERSON TIMMERMAN: Is there a way --  
3 I don't know if there's any other Energy Storage  
4 Facilities other than battery. Can you -- are we  
5 allowed to just get rid of the word "battery" to  
6 encompass anything else that we don't know that could  
7 pop up?

8 MS. LAND: That's what I was actually just  
9 thinking about, if we have to have a storage facility  
10 allowed at all.

11 FROM THE FLOOR: They're bringing hydrogen  
12 next. You know that, right? That's what the --  
13 I'm also I tied into the City a lot, and that's what  
14 they are already heading toward. They want to be an  
15 energy sector in your backyard here because you're not  
16 zoned.

17 CHAIRPERSON TIMMERMAN: So if --

18 FROM THE FLOOR: They're bringing in  
19 hydrogen, so you're right. You better say "energy"  
20 not "battery." Correct?

21 CHAIRPERSON TIMMERMAN: That was quick guys.  
22 Well done.

23 FROM THE FLOOR: Yes.

24 CHAIRPERSON TIMMERMAN: If we made it just

1 Energy Storage Facility, in your mind, that  
2 encompasses hydrogen?

3 FROM THE FLOOR: It should. Ask the  
4 attorney.

5 MS. LAND: Don't look at me. Ask an  
6 engineer.

7 (Laughter.)

8 MS. LAND: It's an attorney thing.

9 FROM THE FLOOR: Energy storage, yes. That  
10 would cover anything.

11 SECRETARY STACY: Cross out "battery."

12 MR. EVANS: Every time "battery" is listed,  
13 just take it out.

14 SECRETARY STACY: Take "battery" out, and  
15 just "Energy Storage Facility."

16 FROM THE FLOOR: And another thing to point  
17 out: Don't say "no more than" or "greater than."  
18 Always say "less than."

19 MS. LAND: No, we can't do that because  
20 that's the differentiation between non-accessory and  
21 accessory.

22 FROM THE FLOOR: Oh, okay.

23 CHAIRPERSON TIMMERMAN: Is there a way to  
24 put a limit on it?

1 MS. LAND: They can only go up to 50, and,  
2 then, they get hooked by the Power Siting Board.

3 CHAIRPERSON TIMMERMAN: Is there a way we're  
4 allowed to limit it even lower than that?

5 MS. LAND: You could. Just like you want to  
6 do with the other. Yeah.

7 SECRETARY STACY: If you're putting this in  
8 I-2, who is to say how large of an area I-2 is going  
9 to be?

10 MS. LAND: Yeah. I don't know.

11 CHAIRPERSON TIMMERMAN: Yeah. That's a good  
12 point.

13 MS. LAND: Realistically speaking, you're  
14 probably not going to make half of your township I-2.

15 MR. EVANS: Right.

16 CHAIRPERSON TIMMERMAN: No.

17 MS. LAND: So that may -- however, there's  
18 always the possibility for the request for someone who  
19 wants to build this kind of facility to come in and  
20 ask for a rezoning to have Agricultural or  
21 Residential, whatever it's currently zoned, changed to  
22 I-2.

23 The thing is, although people who don't win  
24 always complain about this they do not -- nobody has a



1 right to a rezoning. If they come in and request a  
2 rezoning, and you say no, as long as it fits with your  
3 Comprehensive Plan, then, they can try, you know,  
4 appealing and suing and whatever, but they are not  
5 going to get very far.

6 The other thing is, if you do rezone, there  
7 is written into the code -- not our code here, but  
8 into the State code -- that the residents of the  
9 township have the ability to pass a petition, which we  
10 have some good petition passers in your township, and  
11 if they can get signatures of I think it's 15 percent  
12 of those who voted in the last governor's election, it  
13 forces that zoning change to be put on the ballot and  
14 it can be voted down.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MS. LAND: I've only ever had that happen  
17 once, but it did happen. In Washington Township, they  
18 rezoned to allow for soccer fields and people around  
19 there didn't want it, and they put it on the ballot  
20 and voted it down. So it can happen.

21 SECRETARY STACY: Soccer fields, huh? Why?

22 MS. LAND: I think they are thinking we'd  
23 rather --

24 SECRETARY STACY: I would like for that to

1 be my most serious problem is a soccer field.

2 MS. LAND: This was 25 years ago when it  
3 wasn't quite as popular. There is some safeguards for  
4 that.

5 When you're doing your map itself, which we  
6 didn't get to tonight, you'll do two maps: You'll do  
7 one that is what you are actually zoning, and these  
8 are the districts that will be voted on, and they will  
9 be the actual map.

10 The other one is your Comprehensive Future  
11 Plan Map where you sort of do the -- it can have  
12 overlaps of districts that, We think this area here is  
13 either going to go Industrial, or it's going to go  
14 Business, and you do some overlaying. And, then, when  
15 people come along -- but right now it's Agricultural.

16 If somebody comes along and says, I want  
17 this changed to, you know, Residential, you're going  
18 to look at it and go, Humm. You could deny that and  
19 say, This is because we think the growth is going to  
20 happen here. If we put residential there, you're  
21 going to end up with a problem some day with your  
22 residential development surrounded by a bunch of  
23 industrial stuff.

24 Or, if you have something pegged that you

1 think will some day be Residential that you think is  
2 where a subdivision will go to be able to expand the  
3 area, or where more residences will want to build,  
4 somebody comes along and wants to change it to I-2.  
5 Well, you're looking at it, going, no, because we  
6 already have it planned here that, if we do I-2 here,  
7 and it's going to mess up all these other possible  
8 things. It's good reason to say no.

9 That's why you need that future -- and that  
10 goes to any other boards that come along, they'll be  
11 able to see that and know what the thought process  
12 was. That can be amended and changed if they start  
13 seeing things differently.

14 Nothing that you do is written in stone.  
15 It's all a living document. There are procedures and  
16 hearings and different steps to go through to make  
17 changes, but it can be changed. So what you're doing  
18 is setting the baseline and the projected what you  
19 think it's going to be.

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. LAND: Want to wait until next time to  
22 do Wind?

23 SECRETARY STACY: Yeah.

24 CHAIRPERSON TIMMERMAN: Oh, for sure. Well,

1 unless you want to stay.

2 MS. LAND: No. Thanks.

3 FROM THE FLOOR: I have a question. If  
4 you're making that plan for the future, do you ask the  
5 current people who own the property?

6 MS. LAND: That's up to them how they want  
7 to go about doing that. They can talk to the people,  
8 you know, if somebody owns property. But, all in all,  
9 they have to do, for the township, not individual  
10 people. So, I mean, it may not go your way.

11 But if they put on there that they believe,  
12 at some point, property that's currently zoned or used  
13 in some way would more likely develop into a different  
14 way, it doesn't change that current use at all. It  
15 just stays there. It doesn't affect its taxes. It  
16 doesn't affect the way it can be used. It's just --  
17 and it's not zoned that way. It's just the thought  
18 that it would probably grow that way.

19 FROM THE FLOOR: I just know somebody who  
20 said, you know, you really need to get with the  
21 program because it's coming your way.

22 MS. LAND: Well --

23 FROM THE FLOOR: Somebody said that in the  
24 past.

1 FROM THE FLOOR: Go to the City Council  
2 meeting and you'll see. We go to every meeting. It's  
3 Go where there's no zoning. Go where there's no  
4 zoning. Go where there's no zoning. That's all you  
5 hear.

6 MR. EVANS: Kind of to what you were saying,  
7 if you take 212, you know, if there's a farmer that  
8 owns most of that, just because it's zoned I-1, I-2,  
9 or whatever --

10 MS. LAND: Doesn't mean it'll be that way.

11 MR. EVANS: That doesn't mean it's going to  
12 be that way. As long as he wants to keep it  
13 Agricultural, that's what is going to stay.

14 MS. LAND: It's still ultimately in the  
15 hands of the property owner how they want to develop  
16 it.

17 MR. EVANS: Right.

18 MS. PARGEON: If they want to develop it.

19 MS. LAND: If they want to develop it.

20 MR. EVANS: If they never want to, then --

21 MS. LAND: I foresee that the majority of  
22 your township will end up being Agricultural.

23 MR. EVANS: Oh, yeah.

24 MS. LAND: There will be fringes around

1 Van Buren itself that will probably have some  
2 business, and there are probably some fringes, at some  
3 point, down closer towards Findlay that will be more  
4 Industrial, potential. The bulk of everything will be  
5 mostly Agricultural.

6 MR. EVANS: We have a couple main roads, it  
7 seems like.

8 MS. LAND: Well, and, then, there's that  
9 around the interchanges, you'll have some of that  
10 E.S., Expressway Service.

11 MR. EVANS: Uh-huh.

12 CHAIRPERSON TIMMERMAN: Yeah. Is there  
13 anything else we want to touch base on this battery  
14 energy storage for tonight.

15 MS. LAND: No.

16 CHAIRPERSON TIMMERMAN: Hit that again.

17 MR. EVANS: Which we're taking out the word  
18 "battery" out?

19 CHAIRPERSON TIMMERMAN: Right.

20 MS. LAND: Just making it "energy storage."

21 CHAIRPERSON TIMMERMAN: Since we didn't  
22 really get too deep into it.

23 Do we want any comments, or do you want to  
24 go into Executive Session?

1 MS. LAND: You can ask for comments. The  
2 thing is, when we go into Executive Session, you'll  
3 have to come back out into public session to adjourn.  
4 You can't take any action in Executive Session. I'll  
5 just fill you in on the stuff you need to know.

6 You come back out here, and if you would  
7 have something you need to do, any action to take,  
8 you'll have to do it in the meeting; so the meeting  
9 won't be over until after Executive Session.

10 CHAIRPERSON TIMMERMAN: Does anybody have  
11 any other thoughts or concerns?

12 FROM THE FLOOR: Is there any provision for  
13 preventing sale of guns in the township? As, you  
14 know, a shop to set up permanently and be selling  
15 munitions? You know, there's so much in the world  
16 already.

17 MS. LAND: That's not something that zoning  
18 can -- they can't ban particular types of things.  
19 There are only very few things that we're allowed to  
20 ban, but guns aren't one of them.

21 We can say we can't have any marijuana  
22 stores, and we can say we can't have any more adult  
23 entertainment stores. But we can't say what any other  
24 business would be, if it falls into the definition of

1 your Business District and what businesses are, the  
2 short answer is no.

3 FROM THE FLOOR: Can't limit the violence --

4 MS. LAND: Not with zoning.

5 FROM THE FLOOR: -- that's happening in the  
6 word?

7 FROM THE FLOOR: Real quick. I just would  
8 like to say, if you take a look at the Revised Code  
9 definitions for "economically significant wind farm"  
10 or "large wind farm," or "large solar farm," for that  
11 matter, you'll get a lot of the verbiage I think that  
12 you're kind of looking for here in helping to develop  
13 the document.

14 They talk about aggregate. Right? So one  
15 or more wind turbines aggregate to a single  
16 interconnection point. Sometimes it says to a grid.  
17 Sometimes it says to a single customer, depending on  
18 which one of those they're talking about and which  
19 section. But it might just be worth looking that over  
20 when kind of figuring out the verbiage there.

21 CHAIRPERSON TIMMERMAN: Okay.

22 FROM THE FLOOR: I think there's a lot of  
23 good stuff there.

24 SECRETARY STACY: You're saying economic



1 significance?

2 FROM THE FLOOR: Economically significant  
3 wind farms, large wind farms, large solar farms.

4 MS. LAND: That's the stuff that's in this  
5 other -- one of the ones that we have.

6 SECRETARY STACY: Okay.

7 FROM THE FLOOR: That is just the Ohio  
8 Revised Code.

9 MS. LAND: Yeah.

10 MR. EVANS: Oh, I see.

11 FROM THE FLOOR: I apologize in advance.  
12 I have a few, but I will go very quickly.

13 In one of your descriptions I think you were  
14 reading, it says "time to time" or "from time to time"  
15 you can sell this power back that you are generating.  
16 Does that need to be more specific? Because "time to  
17 time" for you could be different from you and me  
18 and --

19 SECRETARY STACY: That's true.

20 FROM THE FLOOR: -- this person. Somebody  
21 could say, Well, I took five minutes off from the last  
22 year of selling it. That's "time to time" in my book.  
23 Just a question. Just a question.

24 MS. LAND: I think the purpose that you guys

1 were looking at for why they have it from time to time  
2 they can sell off is that we don't want residences to  
3 have to have these Energy Storage Facilities.

4 We want them, if they have more energy than  
5 they can use, to be able to outlet somewhere, because  
6 they can't go out and flip a switch and turn off the  
7 solar panels, you're still pulling energy. They have  
8 to send that somewhere. Better to let them bleed it  
9 off into a grid.

10 CHAIRPERSON TIMMERMAN: Could we put a  
11 percentage of what they produce, because at some  
12 point --

13 MS. LAND: We're getting into some technical  
14 stuff that I don't know if we're going to be doing  
15 something viable. We're going to have to have  
16 somebody a lot more technically -- engineer person to  
17 write that kind of stuff up. I don't feel comfortable  
18 telling you.

19 CHAIRPERSON TIMMERMAN: I guess my thought  
20 process with that is, is at some point, you've  
21 designed a system that's way bigger than you require,  
22 I think is what Matt's getting at there.

23 MS. LAND: But you have limits on how big  
24 that system can be.

1 SECRETARY STACY: Right. Would  
2 "intermittent" be better?

3 FROM THE FLOOR: But what did I just is say?  
4 "excess acquired energy." You know, if you have  
5 excess.

6 CHAIRPERSON TIMMERMAN: Yeah. I think Cindy  
7 might be right. At the end of the day, if you limit  
8 them to a half of an acre, there's only so much they  
9 can produce.

10 FROM THE FLOOR: But they might have access  
11 from time to time.

12 CHAIRPERSON TIMMERMAN: And they're allowed  
13 to sell that back. We want that. We want that. But  
14 at the end of the day, if they only have a half acre,  
15 they can't produce --

16 SECRETARY STACY: Or less.

17 CHAIRPERSON TIMMERMAN: A half acre, or  
18 less, they can't produce enough to power the City of  
19 Findlay. They're not going to be selling mass  
20 quantities back.

21 FROM THE FLOOR: If they have excess --

22 CHAIRPERSON TIMMERMAN: They will be allowed  
23 to sell that.

24 FROM THE FLOOR: Instead of "time to time,"

1 "excess energy."

2 MS. LAND: We don't want the excess to be  
3 required for them to have a storage facility for it  
4 because the battery storages are inherently a real  
5 problem. I think they are super expensive and we  
6 don't want them sitting all over the place. So it  
7 might be better to allow them to sell off the excess  
8 as opposed to requiring them to store it on site.  
9 None of this is the perfect world.

10 There's things that we're not going to like  
11 about it because it's just something that's not good  
12 to have around. But, you know, there are things you  
13 have to regulate. They're not good; they're not bad,  
14 but they have issues and you have to decide which way  
15 you want to go with it.

16 CHAIRPERSON TIMMERMAN: Yeah.

17 MS. LAND: I feel like I'm talking in  
18 circles.

19 FROM THE FLOOR: Hopefully this one will go  
20 quicker.

21 When we were talking about storage  
22 facilities and getting rid of just batteries because  
23 of hydrogen, I don't know that -- and maybe you know,  
24 does hydrogen energy -- does that convert to

1 megawatts? Kilowatts? Or is -- do we need to put  
2 something in there, instead of maybe the megawatt  
3 equivalent, or something along those lines because  
4 I don't know if it converts. I'm asking the question.

5 SECRETARY STACY: Me either.

6 MR. EVANS: That's a good point.

7 CHAIRPERSON TIMMERMAN: Okay.

8 MR. EVANS: If it doesn't convert, it seems  
9 like that's a whole new category.

10 FROM THE FLOOR: I think it produces so much  
11 energy that produces electricity in a certain  
12 quantity, but some amount of megawatts. So I would  
13 think, at the end, it could be converted.

14 MR. EVANS: I think it can.

15 FROM THE FLOOR: I think with storage, the  
16 whole goal is we just didn't want big storage units.  
17 Hydrogen would go in big storage area, too. Just like  
18 the tank farms; you're storing it. You've got to  
19 store it somewhere.

20 CHAIRPERSON TIMMERMAN: Yeah.

21 FROM THE FLOOR: These are more review  
22 questions.

23 A-1. There's a 30-foot height restriction?

24 CHAIRPERSON TIMMERMAN: Yeah.

1 FROM THE FLOOR: Does that include barns and  
2 silos, grain bins, et cetera?

3 CHAIRPERSON TIMMERMAN: I don't think  
4 Agricultural Use is limited. Is that a true  
5 statement?

6 MS. LAND: I think it's for the residences  
7 only. Not for the -- none of the height limits are --  
8 they are all for the dwelling unit.

9 CHAIRPERSON TIMMERMAN: For dwellings, not  
10 for Agricultural.

11 FROM THE FLOOR: Just making sure. It was a  
12 little confusing.

13 Sound. You already addressed sound. We're  
14 having trouble hearing everybody out here when we're  
15 sitting --

16 MS. LAND: There's going to be an  
17 amplification system at the next meeting. So  
18 microphones.

19 SECRETARY STACY: How was it this evening?  
20 Could you hear us?

21 CHAIRPERSON TIMMERMAN: I think the  
22 complaint, though, is on the video; is that a true  
23 statement?

24 FROM THE FLOOR: No. It's just in the room.

1 CHAIRPERSON TIMMERMAN: Okay. In the room.

2 FROM THE FLOOR: Just in the room. It's  
3 kind of hard to hear with the door, you know, those  
4 types of things. It's hard to hear everything. I  
5 know other people have raised the sound issues in the  
6 past at these meetings.

7 CHAIRPERSON TIMMERMAN: Yeah.

8 MR. EVANS: Was today better?

9 SECRETARY STACY: That's what I wanted. Was  
10 it better?

11 MR. EVANS: Was it better today?

12 FROM THE FLOOR: I think it was.

13 FROM THE FLOOR: I don't know about better,  
14 but I could hear.

15 CHAIRPERSON TIMMERMAN: You guys could hear  
16 okay?

17 SECRETARY STACY: I could tell. You were  
18 louder.

19 MR. EVANS: I was trying to be.

20 SECRETARY STACY: So I was hoping that that  
21 would translate to being better.

22 CHAIRPERSON TIMMERMAN: Any more, Matt?

23 FROM THE FLOOR: Last one. I promise.

24 Businesses based in the nonconforming

1 district, or whatever we call it; a nonconforming use.  
2 Like, I have a business in my home, for example.  
3 Could you speak to the grandfather nature of those,  
4 versus what if it shuts down or if it's seasonal? You  
5 know, how does that work? I think you had said a year  
6 or two.

7 MS. LAND: It's two years. On State  
8 statute, a nonconforming use that is a legal use at  
9 the time zoning goes into effect can continue until it  
10 is no longer for that use or a use that is  
11 substantially similar.

12 If you have a store that's selling widgets,  
13 and they go to gadgets, you know, it's still  
14 significantly the same.

15 If it stops being used for that type of use  
16 for two years, it ceases to have the grandfather and  
17 whoever decides to use it again has to conform to  
18 whatever the current zoning standard is.

19 There are some things that are still a  
20 little bit up in the air that you guys are going to  
21 have to revisit when you go back on nonconforming uses  
22 with regard to expansion. You know, are they able  
23 to -- there are a number of formulas for expansion for  
24 non-conforming uses.



1           You did have some discussion about degree of  
2 damage and being able to replace it during that  
3 two-year period, and you sort of settled that. But  
4 you didn't settle and really talk too much about how  
5 much they can expand.

6           So I have, you know, a nonconforming  
7 business, you know, on my property and I want to  
8 build two more buildings to go with it, this has come  
9 up a number of times, like, with storage facilities,  
10 because they are always planning to put in a couple  
11 more of these buildings.

12           The question is: Are you going to allow  
13 them to expand any? Some say, No. No expansion,  
14 period. Are you what you are, and you can stay that  
15 way as long as you want, but you can't expand and  
16 grow.

17           Others say you can expand to the extent that  
18 you don't leave your lot. You know, you can -- if you  
19 have room to put on two more and still have your  
20 setbacks and everything, go ahead.

21           Others say a percentage. You know, you have  
22 "X" amount of ground coverage now. You can only  
23 expand 25 percent more.

24           So you have to come up with some kind of

1 formula so anybody who is nonconforming, they know  
2 where they stand for the ability to grow or change or  
3 whatever.

4 MR. EVANS: If it is the first for instance  
5 where you said it is what it is, and if someone  
6 says -- is there a way to appeal that? Because I  
7 could see maybe some things might be able to go before  
8 a board and say, I want to expand. But as you can see  
9 what I've got here so far, and this, that, and the  
10 other, it's not -- do they have an out?

11 MS. LAND: You have to decide which -- if  
12 it's going to be any expansion or no. Everybody has  
13 to be able to expand or not expand in the same manner.  
14 You can't pick and choose based on what kind of  
15 business it is.

16 MR. EVANS: Got ya.

17 MS. LAND: It's for all nonconforming uses.

18 FROM THE FLOOR: I wasn't at the other  
19 meetings. Have you guys addressed Airbnbs and Vrbos?

20 MS. LAND: Yes.

21 FROM THE FLOOR: Can you enlighten me a  
22 little bit?

23 MS. LAND: I don't remember. We're ramming  
24 through this stuff so fast.

1 FROM THE FLOOR: Just curious.

2 MS. LAND: I'll have to go back and look.

3 FROM THE FLOOR: We have a few rentals. My  
4 son wants to maybe start heading into the Vrbos.  
5 That's why I asked.

6 MS. LAND: It was discussed pretty  
7 significantly. For the life of me, I can't remember  
8 what we said.

9 FROM THE FLOOR: Okay. The energy storage  
10 units, are they regulated by the U.S. Fire Marshal?

11 MS. LAND: I have no idea. We'll end up  
12 putting in here, when we get to the use of them, that  
13 they have to adhere to all industry standards, just  
14 like the other. I don't know if that's what it  
15 includes or not.

16 FROM THE FLOOR: Because I know, you know,  
17 storage units sometimes, you know, they can be very  
18 combustible.

19 CHAIRPERSON TIMMERMAN: Right.

20 FROM THE FLOOR: The other concern, to  
21 change pace a little bit back to your solar, how are  
22 we going to maintain the ground? I mean, if my  
23 neighbor has one, and we're all using wells, I'm more  
24 worried about weed spray.

1           We had the opportunity to view a very large  
2 operation in Kalamazoo, Michigan, and they used a lot  
3 of weed spray very liberally. That just sets off a  
4 red flag to me. I mean, I think it ought to be  
5 considered. I don't have an answer. I'm just  
6 throwing it out there for a comment for inviting  
7 feedback or -- it's a concern.

8           MS. LAND: One of the things that I just  
9 discussed with them during the meeting is that the  
10 Power Siting Board has a list of issues that they have  
11 to have -- that they have to adhere to to be one of  
12 the larger solar farms or wind farms. I have a list  
13 and a couple of the agreements for the large solar  
14 farms. I'm going to take from there and create for  
15 the mini solar farms here the same general concepts.

16           We can't hold them to the same standards or  
17 be able to even enforce the stuff that the Power  
18 Siting Board does. We can at least look at those  
19 issues and decide what you do and don't need to  
20 address.

21           But, other than that, we don't know what  
22 it's going to be yet. It's still one of those big  
23 gray boxes out there we haven't filled.

24           FROM THE FLOOR: Will there be some leniency

1 for somebody that's an individual that experiments,  
2 for the guy that does his DIY and this thing is an  
3 experiment and it goes away in a couple years?

4 MS. LAND: Probably not. They still have to  
5 adhere to the same rules, even if you're DIY'ing.  
6 Then anybody else -- if you're having somebody else do  
7 your construction, or whatever, you still have to  
8 follow the same standards that are in the Zoning Code.

9 FROM THE FLOOR: Okay.

10 FROM THE FLOOR: I was going to say, I just  
11 Googled, as far as solar, it seems that 10 acres is  
12 required for 1 megawatt. So for a 50-megawatt solar  
13 field, that's 500 acres.

14 CHAIRPERSON TIMMERMAN: Say that --  
15 10 acres --

16 FROM THE FLOOR: 10 acres is required for  
17 1 megawatt. That was in several places. So for a  
18 50-megawatt solar field, that's 500 acres.

19 So the half acre would be 50 kW. So  
20 50 kilowatts. That's a lot. That's probably two to  
21 five homes, but I'm not an expert in that area. The  
22 math is simple.

23 CHAIRPERSON TIMMERMAN: 10 acres for  
24 1 megawatt is very helpful, I think.

1 MS. LAND: Yeah, it is.

2 CHAIRPERSON TIMMERMAN: Thank you.

3 FROM THE FLOOR: Sure.

4 CHAIRPERSON TIMMERMAN: Anybody else?

5 (No response.)

6 CHAIRPERSON TIMMERMAN: All right.

7 Executive meeting, or whatever you call it.

8 MS. LAND: Somebody will have to make a  
9 motion to go into Executive Session to discuss pending  
10 litigation. And, then, you'll need a roll call vote  
11 of the board members to go into Executive Session.

12 CHAIRPERSON TIMMERMAN: I move that we move  
13 to Executive Session for conversation of pending  
14 litigation.

15 Did I say that correctly?

16 MS. LAND: Uh-huh.

17 MR. EVANS: I second that.

18 SECRETARY STACY: I'm going to do a roll  
19 call.

20 CHAIRPERSON TIMMERMAN: Okay.

21 SECRETARY STACY: So let me -- Dave Evans.

22 MR. EVANS: Yes.

23 SECRETARY STACY: Clara.

24 MS. PARGEON: Yes.

1 SECRETARY STACY: Me, Deb Stacy, yes.

2 And John.

3 CHAIRPERSON TIMMERMAN: Yes.

4 SECRETARY STACY: Okay. And that passed.

5 MS. LAND: And the time. You have mark the  
6 time. It's 7:08.

7 - - -

8 And, thereupon, the Allen Township Zoning  
9 Commission held an Executive Session.

10 - - -

11 CHAIRPERSON TIMMERMAN: Hey, guys. We're  
12 going to resume the meeting.

13 MS. LAND: Quite, please. Stop talking,  
14 everybody. You've got to be quiet during the meeting.

15 SECRETARY STACY: Okay. At 7:45.

16 MS. LAND: I have 7:41.

17 SECRETARY STACY: 7:41.

18 CHAIRPERSON TIMMERMAN: So you need to move  
19 to --

20 MS. LAND: You need a motion to come out of  
21 Executive Session at 7:41. No immediate action to be  
22 taken.

23 CHAIRPERSON TIMMERMAN: I move to come out  
24 of Executive Session at 7:41 with no immediate action

1 taken.

2 SECRETARY STACY: Okay.

3 MR. EVANS: I'll second it.

4 SECRETARY STACY: Dave seconded.

5 MS. LAND: You don't need a roll call.

6 SECRETARY STACY: I don't. Do I need to

7 just --

8 MS. LAND: Just a vote.

9 SECRETARY STACY: All in favor, say "Aye."

10 (Vote taken.)

11 SECRETARY STACY: It passed.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: Do you have anything else you

14 guys need to cover while we're still in session?

15 Because you're back in regular session once you come

16 out.

17 CHAIRPERSON TIMMERMAN: Right.

18 MS. LAND: Remember, Monday, there is no

19 meeting. We are having your next meeting on the 9th.

20 SECRETARY STACY: Yes.

21 MS. LAND: I have some homework to do, and

22 I'll have some of this stuff -- giving me a day off

23 here so I'll be able to get it all collated together

24 for you by Thursday and I'll have it for you then.



1 CHAIRPERSON TIMMERMAN: Yeah. I think for  
2 everybody here watching, the next meeting we'll  
3 probably be wrapping this up and getting into Wind.

4 MS. LAND: Yeah. You'll want to do the --  
5 was it principal use for Solar?

6 CHAIRPERSON TIMMERMAN: For Solar?

7 MS. LAND: Yeah. And I'm going to work on  
8 that and give you something to discuss. And, then,  
9 you do Wind.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: Wind is pretty anemic in here, so  
12 I'll try to, if I have a chance, take the Solar stuff  
13 and convert it into what it would be in Wind language  
14 so you have something to discuss and start picking  
15 apart. Not necessarily to use, but it's always good  
16 to have that skeleton to start adding to or  
17 subtracting from.

18 CHAIRPERSON TIMMERMAN: Yeah.

19 SECRETARY STACY: All right. So can we  
20 entertain a motion to adjourn?

21 CHAIRPERSON TIMMERMAN: Anybody have  
22 anything last minute? We good?

23 MS. PARGEON: I make a motion we adjourn.

24 SECRETARY STACY: Clara. Second?

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MR. EVANS: I second.

SECRETARY STACY: Dave.

Everyone say "Yes," if you agree.

(Vote taken.)

SECRETARY STACY: Motion passed.

- - -

And, thereupon, the proceedings were  
concluded at 7:44 p.m.

- - -

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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, May 9, 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

16 - - -

17  
18  
19  
20  
21  
22  
23 ANDERSON REPORTING SERVICES, INC.  
24 3040 Riverside Drive, Suite 125  
Columbus, Ohio 43221  
(614) 326-0177

1 APPEARANCES:

2 CINDY LAND, Attorney at Law  
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4 514 South Main Street  
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7 (419) 424-7089  
8 lmland@co.hancock.oh.us

9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson  
13 Deb Stacy, Secretary  
14 Dave Evans  
15 Clara Pargeon

16 - - -



1 THURSDAY EVENING SESSION  
2 May 9, 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 9th day of  
8 May, 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. Do some roll call.

15 Dave Evans.

16 MR. EVANS: Here.

17 CHAIRPERSON TIMMERMAN: Clara Pargeon.

18 MS. PARGEON: Here.

19 CHAIRPERSON TIMMERMAN: Darrin Rehus.

20 VICE CHAIRPERSON REHUS: Here.

21 CHAIRPERSON TIMMERMAN: Deb Stacy.

22 SECRETARY STACY: Here.

23 CHAIRPERSON TIMMERMAN: John Timmerman,  
24 here.

Minutes.

1 SECRETARY STACY: Okay. Minutes. Allen  
2 Township Zoning Commission, May 2nd, 2024.

3 Attendance: Dave Evans, Clara Pargeon, Deb  
4 Stacy, John Timmerman. Darrin Rehus was absent.

5 Deb Stacy, Allen Township Zoning Commission  
6 Secretary, read the April 29th, 2024, minutes.

7 Motion 24-04-19M. Clara Pargeon moved to  
8 approve the Allen Township Zoning Commission minutes  
9 from the April 29th, 2004 meeting. Dave Evans moved  
10 to second the motion. Motion passed.

11 The Allen Township Zoning Commission  
12 discussed solar energy. Matt from Hancock County  
13 Regional Planning provided information on solar  
14 energy. He also added input for a section on solar  
15 energy from Washington Township's Zoning Resolution.

16 Items included in the discussion included  
17 Accessory Use, Primary Use, lot coverage by solar  
18 panels, height of solar panels, roof/structure-mounted  
19 Solar Energy Systems, and the amount of energy  
20 generated per a given size of an installation.

21 John Timmerman, Allen Township Zoning  
22 Commission Chairman, asked for input from guests  
23 several times during the meeting. Numerous responses  
24 were given back to the commission.

1           The next Zoning Commission meeting will be  
2 on May 9th at 5:00.

3           Topics will include solar and wind energy,  
4 in addition to the growth of nonconforming uses.

5           Motion 24-04-20M. John Timmerman moved to  
6 enter into Executive Session for the discussion of  
7 litigation against the Zoning Commission. Dave Evans  
8 seconded the motion. On roll call vote, the members  
9 voted to enter into Executive Session.

10           Dave Evans, yes. Clara Pargeon, yes. Deb  
11 Stacy, yes. John Timmerman, yes. Motion passed, and  
12 the Zoning Commission went into Executive Session at  
13 7:08 p.m.

14           Motion 24-04-21M. John Timmerman moved to  
15 leave Executive Session and return to the regular  
16 meeting with no action taken at 7:41 p.m. Dave Evans  
17 seconded the motion. Motion passed.

18           Motion 24-04-22M. Clara Pargeon moved to  
19 adjourn the meeting. Dave Evans seconded the motion.  
20 Motion passed.

21           Can I have a motion to approve the minutes?

22           CHAIRPERSON TIMMERMAN: I move to accept the  
23 minutes.

24           SECRETARY STACY: Okay. There's John.

1 Clara, I saw your hand.

2 MS. PARGEON: Yes.

3 SECRETARY STACY: Everyone in favor of that,  
4 say "Aye."

5 (Vote taken.)

6 SECRETARY STACY: Motion passed.

7 And you're signing.

8 CHAIRPERSON TIMMERMAN: All right. So last  
9 time, we were looking at Solar. I feel like we got  
10 through pretty well the Accessory Use and we were into  
11 Primary Use. Is that how everybody else remembers it?

12 MS. PARGEON: Yeah.

13 CHAIRPERSON TIMMERMAN: I did a little  
14 research on the 10 kilowatts. I've got to find a  
15 picture of that.

16 How large is 10-kilowatt solar system? Did  
17 a quick Google search. It says it's between 440 and  
18 475 square feet of roof space. So that's for to  
19 10 kilowatts, which was the limit for Residential --  
20 or not residential, but Accessory Use or a small solar  
21 system. So that's, like, way less than an eighth of  
22 an acre even, and we allotted a half of an acre.

23 SECRETARY STACY: We can revisit that.

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MS. LAND: What was that number?

2 CHAIRPERSON TIMMERMAN: 440 to 475 square  
3 feet.

4 MS. LAND: That's to produce 10?

5 CHAIRPERSON TIMMERMAN: To produce  
6 10 kilowatts. And then it says that 10 kilowatts is  
7 enough to power an average 2,000-square-foot home.  
8 I don't know if we can up that at all or -- I feel  
9 like most people feel like 2,000 is an average-size  
10 home at this point.

11 SECRETARY STACY: Uh-huh.

12 CHAIRPERSON TIMMERMAN: So I don't know  
13 whether we want to go up to like 15 or anything crazy  
14 like that, but just throwing it out there as an idea.

15 MS. LAND: Especially when you have a better  
16 grasp on how much space is being used. 2,000 is an  
17 average-size home, but there are many that are a lot  
18 bigger than that.

19 CHAIRPERSON TIMMERMAN: Right.

20 MS. LAND: So especially when they're able  
21 to build out with a lot of room around them, they're  
22 more likely to be big houses.

23 CHAIRPERSON TIMMERMAN: Right. So I'd  
24 probably go up to 15,000 then.

1 MS. LAND: 15 kilowatts?

2 CHAIRPERSON TIMMERMAN: Yeah.

3 SECRETARY STACY: Some of the information  
4 I was looking at was, basically, pretty much any given  
5 home, you have enough roof space for enough panels to  
6 power that home. So, obviously, a larger home is  
7 going to have more roof area covered. So whether it's  
8 a smaller home or larger home, there's enough on the  
9 roof to power that home.

10 MS. LAND: But if you limit it to 10, it  
11 doesn't matter how much room they have; they could  
12 only do 10.

13 SECRETARY STACY: True. We were talking 10,  
14 15.

15 CHAIRPERSON TIMMERMAN: Yeah. I think --  
16 well, 10 or 12, or 10 or 15, or whatever number you  
17 choose, I think there's adequate room on most houses  
18 to put 15 kilowatts up there.

19 MS. LAND: Okay.

20 CHAIRPERSON TIMMERMAN: So I don't know  
21 whether you can say it has to be roof-mounted. I  
22 don't know if we want to say it has to be  
23 roof-mounted.

24 MR. EVANS: Because part of it might have to

1 do with, like, the aesthetics. Let's say the south  
2 side of your house is facing the road, you don't want  
3 to have the panels on the front.

4 CHAIRPERSON TIMMERMAN: Sure. That's fair.

5 MR. EVANS: You've got an option.

6 CHAIRPERSON TIMMERMAN: I don't disagree.

7 SECRETARY STACY: Huh-uh.

8 CHAIRPERSON TIMMERMAN: I think most people,  
9 in general, aside from the south-facing whatever,  
10 would prefer to roof mount it. I think it looks  
11 better typically. But -- so...

12 MS. LAND: Are we all working off the same  
13 document?

14 VICE CHAIRPERSON REHUS: I'm not sure where  
15 we are.

16 CHAIRPERSON TIMMERMAN: Washington Township  
17 was the -- mine says "Draft." It's not Washington.

18 MS. LAND: I think "Draft" is -- yeah, we've  
19 got the same one.

20 VICE CHAIRPERSON REHUS: The one you gave  
21 me.

22 MS. PARGEON: Section 21.

23 CHAIRPERSON TIMMERMAN: Is it Section 21,  
24 Solar Energy?

1 MR. EVANS: 21.

2 CHAIRPERSON TIMMERMAN: At the top it says  
3 General Provisions, Section 21.

4 VICE CHAIRPERSON REHUS: Oh, okay.

5 MS. LAND: Wait a minute. This one?

6 MS. PARGEON: There's two of them.

7 SECRETARY STACY: There's two --

8 MS. LAND: No, that's not it.

9 SECRETARY STACY: There's are two that are  
10 Washington.

11 MR. EVANS: I wrote Washington Township on  
12 it. That's the one I've been using.

13 MS. LAND: Okay. That's not the one --

14 CHAIRPERSON TIMMERMAN: They read the same.

15 MS. LAND: As long as they read the same.

16 SECRETARY STACY: They are the same. One  
17 has Wind on it; the other one does not have Wind. So  
18 it's the same document.

19 MS. LAND: Okay. Then we're fine.

20 CHAIRPERSON TIMMERMAN: So some things  
21 with -- going along with doing some research, I said,  
22 for R-1, do we want to say that it has to be  
23 roof-mounted, and the fact that you're in smaller  
24 lots. You know, I don't know whether they have room



1 to do, you know, ground-mounted. But it's just a  
2 thought. I don't know if anybody agrees or disagrees.  
3 I don't know if I'm 100 percent set on it. Just a  
4 talking point more than anything.

5 MS. PARGEON: Well, if you have it that it's  
6 on the roof, that way they still have space for their  
7 yard --

8 SECRETARY STACY: Right.

9 MS. PARGEON: -- instead of having solar  
10 panels there.

11 CHAIRPERSON TIMMERMAN: Again, I think most  
12 people are going to just choose to go roof-mounted.  
13 I don't know whether you have to create a rule saying  
14 it has to be. But it was just -- I agree. I don't  
15 think people are going to take up their yard too  
16 quickly if they don't have much yard.

17 MS. PARGEON: Yeah.

18 MR. EVANS: I think we have provisions in  
19 place if it is in the yard, they can't go over so tall  
20 and that sort of thing.

21 CHAIRPERSON TIMMERMAN: Right. So maybe let  
22 it go?

23 MR. EVANS: I mean, I'm just --

24 CHAIRPERSON TIMMERMAN: It's their yard.

1 MR. EVANS: -- thinking, if they want to  
2 produce enough electricity for themselves --

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MR. EVANS: -- and the only way they can do  
5 it good is in the backyard, I don't know. That's just  
6 my thoughts.

7 CHAIRPERSON TIMMERMAN: Okay. I don't  
8 necessarily think it has to be that. I was --

9 MR. EVANS: Right.

10 CHAIRPERSON TIMMERMAN: -- a talking point.  
11 What did we decide on setbacks? On  
12 Washington, it says 10 feet from the nearest property  
13 line and I didn't cross it out. So I'm inclined to  
14 think we left it at 10?

15 MS. PARGEON: Yes.

16 SECRETARY STACY: That's fairly close.

17 CHAIRPERSON TIMMERMAN: I think that's  
18 pretty close. And I think that our setbacks on  
19 Page 34 for Residential is 12 feet for, like, any  
20 structure, and, then, in A-1 it would be 20 feet.

21 I think that probably -- just building a  
22 little space from your neighbors on that is not a bad  
23 thing to just follow those same setback regulations.

24 SECRETARY STACY: Uh-huh. I agree.

1 CHAIRPERSON TIMMERMAN: Based on that 440  
2 square feet to 470, I rounded it up to 500 and then  
3 doubled it. I think maybe 1,000 square feet is  
4 sufficient. I don't know why they would go -- if  
5 they're limited by the 15 kilowatts, I don't know why  
6 they would ever exceed that anyway.

7 Cindy, are we moving all over the place, or  
8 are you doing okay?

9 MS. LAND: No, I'm getting it figured out.  
10 I wanted to make sure I have the same.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. LAND: I have to edit these later. I  
13 can't remember --

14 CHAIRPERSON TIMMERMAN: I know. That's why  
15 I can pause if you need me to.

16 MS. LAND: I was doing editing this  
17 afternoon. There are a couple of places that I've  
18 gone (indicating), and I've just put yellow highlight  
19 on them because I can't remember or figure out what  
20 I was supposed to be doing there, so we can revisit  
21 them, or the things that we never quite settled, a  
22 couple of things.

23 CHAIRPERSON TIMMERMAN: Yeah.

24 MS. LAND: I don't want to have to do that

1 very often, though.

2 CHAIRPERSON TIMMERMAN: Right.

3 MS. LAND: I'm good now. Go ahead. Just  
4 listening.

5 CHAIRPERSON TIMMERMAN: Did we settle on,  
6 like, the district setbacks? Does everyone like that  
7 idea from the property lines?

8 MR. EVANS: You're talking about the  
9 10-foot?

10 CHAIRPERSON TIMMERMAN: Instead of 10-foot.

11 SECRETARY STACY: To move that to 20?

12 CHAIRPERSON TIMMERMAN: For it A-1. In  
13 R-1, it would be -- I think it's 12, as I recall.  
14 And 12 is from the side yard, but you'd have a  
15 different setback from the back, as I recall.

16 VICE CHAIRPERSON REHUS: What was R-2?

17 CHAIRPERSON TIMMERMAN: We don't have an  
18 R-2 anymore.

19 VICE CHAIRPERSON REHUS: Oh, that's right.

20 MS. LAND: You're looking at subparagraph D,  
21 right?

22 SECRETARY STACY: Uh-huh.

23 MS. LAND: Or 4?

24 CHAIRPERSON TIMMERMAN: No. 4-D, I think.

1 Yeah.

2 MS. LAND: So how do you want it to read  
3 then?

4 CHAIRPERSON TIMMERMAN: I would follow the  
5 same setbacks that we have on that Page 34, the Area  
6 in Bulk.

7 MS. LAND: Some of the things in there, they  
8 indicate that side yards can be used for parking and  
9 such. Do you want to -- like, for multi-family and  
10 some of the business things. Are you okay if these  
11 are in the side yard setbacks? We have clearly they  
12 can't be in the front yards, but are side yards okay?

13 MS. PARGEON: If they are big enough.

14 SECRETARY STACY: Does it really lend itself  
15 to the use of a multi-family units -- I mean --

16 CHAIRPERSON TIMMERMAN: I have no idea on  
17 that.

18 SECRETARY STACY: Well --

19 CHAIRPERSON TIMMERMAN: Multi-family units,  
20 you're saying to have solar?

21 SECRETARY STACY: Right. I question --

22 MS. LAND: That it's going to be that big of  
23 a deal.

24 SECRETARY STACY: Yeah. I mean, I -- yeah.

1 MS. LAND: Businesses, though. The Business  
2 Districts, they specifically say they can have stuff  
3 in their setbacks. Do we want to identify that things  
4 can't be in their setback in the front? Definitely,  
5 we have that in there.

6 SECRETARY STACY: Right.

7 MS. LAND: Do we want to have them not have  
8 it in their setbacks on sides? Only in the back?

9 CHAIRPERSON TIMMERMAN: For solar, you're  
10 saying?

11 MS. LAND: Yeah.

12 CHAIRPERSON TIMMERMAN: I think probably.

13 MS. PARGEON: Agree. Leave it in the back.

14 CHAIRPERSON TIMMERMAN: I think, in general,  
15 people's side yards aren't that huge that you're going  
16 to have -- that it's going to look nice there.

17 SECRETARY STACY: Right.

18 MS. LAND: Okay.

19 CHAIRPERSON TIMMERMAN: The next line,  
20 Cindy, says "Shall not exceed a half of an acre."

21 MS. LAND: Uh-huh.

22 CHAIRPERSON TIMMERMAN: Again, that's where  
23 I -- that's huge compared to what they need to be.  
24 So I think -- I mean, again, 500 square feet is

1 roughly what's needed for 10 kilowatts. If we go up  
2 to 15 kilowatts, you're at 750.

3 MS. LAND: In a quarter acre how many square  
4 feet?

5 CHAIRPERSON TIMMERMAN: This is way less  
6 than an acre.

7 MR. EVANS: A little over 10,000 square  
8 feet.

9 MS. LAND: Oh, wow.

10 MR. EVANS: An acre is 43,000.

11 CHAIRPERSON TIMMERMAN: So you like a tenth  
12 of a quarter of an acre. So it's small that's needed.

13 MS. LAND: This is going to sound like a  
14 stupid question and it definitely comes from being  
15 uneducated about this, that's why I'm asking it.

16 When we look at the area that they need, are  
17 they always clumped together, or can they have panels  
18 that are more spread out? Like, if they have a  
19 tree -- an area that's sort of got foliage that they  
20 want to put chunks in places and have them all  
21 connected together? Do they have to be all together?  
22 I wouldn't think so.

23 CHAIRPERSON TIMMERMAN: I wouldn't think  
24 they'd have to be.

1 MS. LAND: So if we compact it down into too  
2 small a space, then we're going to have our zoning  
3 inspector trying to figure out if -- you know, how  
4 many -- the space, add this space, and add this space  
5 and see if they've gone over.

6 If you just sort of go by a smaller space  
7 than a half acre, for sure, but, then, also the  
8 maximum amount that they can have for output, I think  
9 it will solve itself.

10 Even though, you know, they may be able to  
11 use a lot more -- they have a lot more space left to  
12 use, but they can't produce any more out of it so they  
13 won't use it. Does that make sense? Both it's a  
14 check and a balance on each other.

15 MS. PARGEON: Yes, it does make sense.

16 CHAIRPERSON TIMMERMAN: To have -- to not --  
17 say that again.

18 MS. LAND: Since they have a quarter acre,  
19 but they can't produce more than 10 or 15 kilowatts,  
20 that will limit how much that quarter acre they're  
21 going to cover. But it would also give them the  
22 ability to spread out on their quarter acre, if they  
23 need to, without having our zoning inspector have to  
24 get pretty worried about, well, this took this many



1 square feet, and this took this many square feet, add  
2 them all together. That's just a recipe for somebody  
3 to have a disagreement about what the calculations  
4 are.

5 MR. EVANS: That makes sense, I think.

6 MS. LAND: I think if you have that limit of  
7 15 kilowatts, they're not going to be able to fill up  
8 a quarter acre, even if they can't be more than a  
9 quarter acre.

10 CHAIRPERSON TIMMERMAN: How do you -- I'm  
11 looking at this from the -- because this will come up  
12 again when we go to Primary Use. How do we  
13 regulate -- who's actually going out there and  
14 monitoring that they only have however many kilowatts?  
15 It would be a lot easier to monitor acreage at that  
16 point.

17 MS. LAND: Good point.

18 SECRETARY STACY: Uh-huh. Yes.

19 MS. LAND: Okay.

20 CHAIRPERSON TIMMERMAN: So, similarly, here,  
21 I think it's important to probably have a physical  
22 size as well.

23 MS. LAND: Okay.

24 CHAIRPERSON TIMMERMAN: Because it's going

1 to come up next.

2 SECRETARY STACY: Uh-huh.

3 MS. LAND: So a quarter acre is obviously  
4 too much.

5 CHAIRPERSON TIMMERMAN: And eighth of an  
6 acre is over 5,000 square feet. We only need, like,  
7 750 square feet.

8 MS. LAND: So instead of saying it in  
9 portions of acres, do you want to say how many square  
10 feet can be used? Because we do use the square foot  
11 measurements for how much lot coverage can be used in  
12 the size of floor plans.

13 MS. PARGEON: Yeah. That would work a lot  
14 better.

15 MR. EVANS: Since we're getting it small.

16 CHAIRPERSON TIMMERMAN: Yeah.

17 SECRETARY STACY: Uh-huh. Yeah.

18 MS. PARGEON: Go with the smaller.

19 CHAIRPERSON TIMMERMAN: That would be simple  
20 enough.

21 MR. EVANS: So in No. 5, change that to so  
22 many square feet?

23 CHAIRPERSON TIMMERMAN: I think so.

24 MR. EVANS: How many -- what were you

1 thinking? Were we thinking 15,000 kilowatts?

2 CHAIRPERSON TIMMERMAN: Well, 15,000 --  
3 15 kilowatts would be roughly 750 square feet. So if  
4 you go up to 1,000 square feet, that covers it. And  
5 I don't know, for some reason anybody wants to go a  
6 little bit higher than that, but --

7 MR. EVANS: So maybe change it to 1,000?

8 CHAIRPERSON TIMMERMAN: According to my  
9 Google search, that covers it.

10 MS. PARGEON: Yeah, that should be plenty.  
11 That should be plenty.

12 CHAIRPERSON TIMMERMAN: Go with that then?

13 SECRETARY STACY: Uh-huh.

14 MR. EVANS: That's enough for 20 kilowatts.

15 CHAIRPERSON TIMMERMAN: Right. Should they  
16 be required to screen around that?

17 MS. PARGEON: A fence of some kind.

18 MS. LAND: Maybe. But screening that will  
19 obliterate the view could obliterate the sun, which --

20 CHAIRPERSON TIMMERMAN: I know.

21 MS. LAND: -- could be counterproductive.

22 CHAIRPERSON TIMMERMAN: I know. Well, their  
23 screening is allowed to be up to, what, 2 feet off the  
24 property line. These have to be 20 feet back, so the

1 sun should clear the -- I don't -- I get your point.

2 MS. LAND: Yeah. Just -- we just have to be  
3 careful that whatever you put in doesn't make it so  
4 that it makes them non-capable of putting them in.  
5 Then you'll have a challenge because what you've set  
6 up makes it impossible.

7 You know, it makes some good sense, they can  
8 be that -- 2 feet off the line with their fence. They  
9 have to be 20 feet back, it shouldn't be a problem.

10 Do you want to have fences? Do you want to  
11 just require screening, and, then, we have a  
12 definition of screening that can be foliage. It can  
13 be bushes, trees, pine trees.

14 CHAIRPERSON TIMMERMAN: I think if you ask  
15 your neighbor, your neighbor would prefer bushes, and  
16 whatnot, to block the view.

17 SECRETARY STACY: I do, too, for screening.

18 MS. LAND: Okay. Where do you want to put  
19 that? Want another paragraph on there?

20 CHAIRPERSON TIMMERMAN: Yeah, I think so.  
21 And I think it would have to go with  
22 ground/pole-mounted, because if they put them on their  
23 roof, they don't need screening.

24 MS. LAND: Right. That would get tricky.

1 Okay.

2 CHAIRPERSON TIMMERMAN: I wrote down,  
3 "cannot cross property lines." And I know you brought  
4 up, if somebody has an outbuilding on one property, is  
5 that where you would have a variance possibly? Where  
6 did we end up on that? What was the deciding factor?

7 MS. LAND: I don't know that we had a  
8 deciding factor on that. We were just discussing the  
9 fact that it could be -- if somebody wants to power  
10 all of their buildings with solar, their house and  
11 their garage or barn or shop, or something, and they  
12 are on different parcels, is that going to be  
13 permitted?

14 CHAIRPERSON TIMMERMAN: Would that be a  
15 variance option at that point?

16 MS. LAND: No.

17 CHAIRPERSON TIMMERMAN: No.

18 MS. LAND: Because there are specific rules  
19 for it, and it's not something that -- the only way it  
20 could be a variance is if, when zoning goes in, it  
21 already exists that they are two separate parcels.

22 If they come along and they set it up and  
23 put it on two separate parcels, they've created their  
24 own problem. That's not something you can get a

1 variance for. You only get a variance if it's out of  
2 your control, the hardship.

3 CHAIRPERSON TIMMERMAN: Okay.

4 MS. LAND: So --

5 CHAIRPERSON TIMMERMAN: I guess where my  
6 question was going --

7 MS. LAND: -- we could put it under  
8 Conditional Use, but they have to come then and get a  
9 Conditional Use to have it on another parcel, more  
10 than one. Then it comes before you guys. They  
11 explain the situation, and you can decide, instead of  
12 going to the BZA as a variance.

13 Now, it would go as a variance, probably, if  
14 you don't put anything in here about Conditional Use,  
15 the situation where it already exists that they have  
16 two parcels, then it would go to the BZA as a  
17 variance.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. LAND: But if you put it in as a  
20 Conditional Use, whether it existed before or not,  
21 would still come before you and be treated the same  
22 way as a Conditional Use. So this way we won't end up  
23 with two different boards looking at this one system.  
24 It will always come to this board; the commission who

1 is writing the policies.

2 Want to make it a Conditional Use?

3 CHAIRPERSON TIMMERMAN: I think so.

4 MS. LAND: Where did we have -- where is  
5 that?

6 CHAIRPERSON TIMMERMAN: I don't know that it  
7 says in the Conditional Use stuff on this. Oh,  
8 No. 1 says "Solar Energy System may be conditionally  
9 permitted in all zoning districts."

10 MS. LAND: Where does it say about the  
11 single lot, though?

12 CHAIRPERSON TIMMERMAN: I don't know that it  
13 did. Maybe that was something we were discussing,  
14 possibly.

15 MS. LAND: If it's not actually in here  
16 already, or we haven't added it that says it has to be  
17 on one parcel or one lot, then the Conditional Use  
18 will already pick up anything that anybody comes in  
19 and wants one, then you will be able to look and see  
20 if they are building their own little country out  
21 there, or if they really are just looking at their own  
22 outbuildings. You know, you don't really want a  
23 compound developing with solar and all that.

24 CHAIRPERSON TIMMERMAN: Okay. So any time

1 somebody wants to put one in, since it's -- everything  
2 is conditionally permitted. If anybody wants to put  
3 one in, they have to come to the board is what you're  
4 saying?

5 MS. LAND: It's a Conditional Use. Yeah.

6 CHAIRPERSON TIMMERMAN: Okay. Last thing  
7 I had for Accessory Use, like, if a business wanted to  
8 put in solar panels, that's an Accessory Use still?

9 MS. LAND: Is it for their building?

10 CHAIRPERSON TIMMERMAN: For their facility,  
11 I guess.

12 MS. LAND: I think it is. Yeah. But it's  
13 theirs, and they run it; not somebody else running it  
14 for them.

15 CHAIRPERSON TIMMERMAN: Right.

16 MS. LAND: That would be a Non-Accessory  
17 Use.

18 CHAIRPERSON TIMMERMAN: If they own it and  
19 they are operating it, it's theirs, it's an Accessory  
20 Use. And, then, they would play by these same rules.  
21 So this isn't strictly residential. This is  
22 accessory.

23 MS. LAND: It's accessory to the building.  
24 And being accessory, I guess, we're going to have



1 to -- the definition of Accessory. We'll have to --  
2 yeah. Definitions of Accessory and Principal Solar,  
3 we may want to clarify in there that the Accessory Use  
4 is part of -- belongs to and is operated by the  
5 property owner.

6 CHAIRPERSON TIMMERMAN: Yeah. That's  
7 everything I had for Accessory Use.

8 SECRETARY STACY: It was helpful.

9 CHAIRPERSON TIMMERMAN: What's that?

10 SECRETARY STACY: It was helpful.

11 MS. LAND: Did you want to leave that the  
12 non-functioning equipment has to be gone by 12 months?  
13 Do you want to have a 12-month period? I think that  
14 was something that was discussed, the longer, shorter.

15 How long does it take for them to become --  
16 for solar panels to become dangerous if they are  
17 sitting there? If they sit for a year, do they start  
18 to deteriorate to the point where they have issues?  
19 Do they need to be removed quicker than that?

20 CHAIRPERSON TIMMERMAN: It depends why  
21 they're not functioning, you know. You know, like,  
22 I mean, if they get hit by a bunch of hail or a car  
23 runs into them, I assume there's something in them  
24 that you don't want leaking on the ground for a year.

1 SECRETARY STACY: 12 months is, I think, too  
2 long.

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MR. EVANS: It is, especially if something  
5 is leaking.

6 SECRETARY STACY: Yes.

7 MR. EVANS: It almost seems like that's  
8 something the EPA would almost be involved in if there  
9 is a dangerous chemical.

10 CHAIRPERSON TIMMERMAN: No, they won't.  
11 I mean, in reality, if it's leaking in your backyard,  
12 when's the last time the EPA stopped by your house?

13 MS. LAND: That's a double-edge sword. You  
14 don't really want them stopping by your house.

15 MS. PARGEON: We had discussed the other  
16 time that every other year, check on it.

17 CHAIRPERSON TIMMERMAN: That would be a  
18 check-in to see if it is functioning.

19 MS. PARGEON: Yeah. Right.

20 CHAIRPERSON TIMMERMAN: But, I think, if  
21 it's obvious they're not functioning.

22 MR. EVANS: Something's leaking.

23 MS. PARGEON: Get rid of it, yeah. For  
24 safety issues.

1 MS. LAND: How quickly would we require them  
2 to get rid of it? If we find out it's not functioning  
3 in January, the chances of being able to pull them and  
4 get them out of there are probably slim --

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: -- until like March, right?

7 SECRETARY STACY: Right.

8 MR. EVANS: Or maybe something needs to be  
9 put in there, if it's a dangerous situation where  
10 something's leaking in the ground --

11 MS. PARGEON: It would have to go quick.

12 MR. EVANS: -- it almost has to be almost  
13 immediate. I mean, at least to stop the leaking of  
14 contaminants in the ground.

15 CHAIRPERSON TIMMERMAN: Right.

16 SECRETARY STACY: So the other -- the  
17 Delaware Resolution, it makes reference, "may stay in  
18 no longer than three months following abandonment."  
19 So when it ceases transmission is 30 days -- 30  
20 consecutive days. So I think those are a little  
21 more --

22 MS. PARGEON: That would be the better one  
23 to go with.

24 SECRETARY STACY: Makes more sense.

1 MS. LAND: So do you want to drop that from  
2 12 to something smaller then?

3 CHAIRPERSON TIMMERMAN: I would. I'd drop  
4 it to three months.

5 SECRETARY STACY: Three months.

6 CHAIRPERSON TIMMERMAN: I don't know if you  
7 can put in, if there's a known leak, sooner. I don't  
8 know what kind of --

9 MS. LAND: I'm not sure. We're going to  
10 have to have somebody, then, who is qualified to  
11 determine that.

12 CHAIRPERSON TIMMERMAN: Exactly.

13 MS. LAND: Is your zoning inspector going to  
14 be somebody who is comfortable saying, That's a  
15 hazardous chemical leaking out of there, or that's  
16 water running off. I'm not sure how would you enforce  
17 that, is my concern.

18 CHAIRPERSON TIMMERMAN: Right. I think --

19 SECRETARY STACY: I think three months.

20 CHAIRPERSON TIMMERMAN: I think the way you  
21 would enforce it, if you would enforce it, is if there  
22 was obviously damage to the solar panels, you would  
23 have to do, like, a soil sample test or something.

24 MS. LAND: Or just, if they -- you know,

1 they have three months to get rid of them, but there's  
2 nothing that says we can't immediately report them to  
3 the health department and the EPA to say, Check on  
4 this and see if there's a problem there. Because they  
5 have to do that then. They have to make the test.

6 So I don't think we need to have that in  
7 here. That's just policy that, when we see something  
8 that looks like damage -- and that's something a  
9 zoning inspector will do. If they are -- zoning  
10 inspectors, a lot of them, sort of cruise around, look  
11 and see what's going on to see if people are building  
12 things nobody told them about.

13 And, occasionally, they'll see tarry stuff  
14 in a ditch, then, they know that somebody's septic  
15 system has failed. They can call the health  
16 department and say, We've got a problem in a ditch  
17 here. Come test places to find, and make the  
18 complaint. It's really you get a boots-on-the-ground  
19 person, sort of like Tony does for the trustees.

20 CHAIRPERSON TIMMERMAN: Right.

21 MS. LAND: You know, it be one more person  
22 doing that.

23 CHAIRPERSON TIMMERMAN: Yeah. Okay.

24 Anybody have anything else for Accessory

1 Use?

2 MR. EVANS: We have a definition of  
3 Accessory Solar Energy System on Page 2. Do we need  
4 to up that then where it says 10 kilowatts?

5 CHAIRPERSON TIMMERMAN: That would have to  
6 be updated then.

7 MR. EVANS: So do you want to that change  
8 that to 20?

9 CHAIRPERSON TIMMERMAN: I would go to 15.

10 MR. EVANS: Okay.

11 CHAIRPERSON TIMMERMAN: If 10 was good for a  
12 2,000-square-foot house, 15 should be good for a  
13 3000-square-foot house.

14 MR. EVANS: You want to just change that to  
15 15?

16 CHAIRPERSON TIMMERMAN: That's what I would  
17 recommend.

18 SECRETARY STACY: What page are you on?

19 MR. EVANS: It's 2 on the one I've got.

20 CHAIRPERSON TIMMERMAN: Definitions.

21 SECRETARY STACY: Oh, the Definitions.

22 MR. EVANS: Accessory Solar Energy System.

23 CHAIRPERSON TIMMERMAN: It's got 10.

24 SECRETARY STACY: Change it to 15.

1 MR. EVANS: Here's where we're talking  
2 about. This is that second -- it's the second page.  
3 There you go. 10 to 15.

4 CHAIRPERSON TIMMERMAN: And I did not --

5 MS. LAND: And we're going to take  
6 everything out after the "for electricity" in parens?  
7 Is that what we're doing?

8 CHAIRPERSON TIMMERMAN: Where are you at  
9 again? Still in Accessory Use?

10 MS. LAND: Yes. Down to "...a system." So  
11 we would take out "...related storage volume of less  
12 than or equal to 240 gallons, or has a collector area  
13 of less than or equal to 1,000 square feet for  
14 thermal, as intended for primary -- to primarily  
15 reduce on-site consumption of utility power."

16 I think --

17 CHAIRPERSON TIMMERMAN: Are we removing it  
18 because we don't understand it? Is that the  
19 mentality?

20 MS. LAND: A little because I just don't  
21 think it applies to solar stuff. I think it applies  
22 to some other things.

23 CHAIRPERSON TIMMERMAN: Okay. I guess my  
24 thought is, just in case it's something we don't know,

1 are we wrong in leaving it in there?

2 MS. LAND: Well, you can be. Yeah.

3 CHAIRPERSON TIMMERMAN: You can be wrong in  
4 leaving it in there?

5 MS. LAND: Uh-huh. See, the Delaware one is  
6 not written with -- which came from the template that  
7 was developed by environmental attorneys for the Ohio  
8 Township Trustee Association.

9 This one that we're using for Washington  
10 Township was developed by Regional Planning.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. LAND: I mean, Matt sat here and said,  
13 I'm not an expert in this.

14 SECRETARY STACY: Right.

15 MS. LAND: So I'm a little worried that they  
16 put things together that they found without knowing  
17 for sure how they fit together either, which worries  
18 me just a little bit on some of these things that  
19 nobody can explain because the bottom line is you have  
20 to be able to explain them. You have to know what  
21 they mean and why they apply. If we can't get to  
22 that, we shouldn't have that in there as a Resolution.

23 CHAIRPERSON TIMMERMAN: That's fine. It  
24 would still be regulated at 15 kilowatts and



1 1,000 square feet?

2 MS. LAND: Uh-huh.

3 MR. EVANS: So we're questioning what that  
4 240 gallons is?

5 CHAIRPERSON TIMMERMAN: We don't even know  
6 what it means.

7 MR. EVANS: Part of me -- I mean, I don't  
8 know what it means, but I kind wonder if it's solar  
9 water heating.

10 MS. LAND: And hydro.

11 MR. EVANS: Like, in Florida, they heat pool  
12 water on their roofs.

13 MS. LAND: We have an input there.

14 CHAIRPERSON TIMMERMAN: Do you know what it  
15 is?

16 FROM THE FLOOR: I'm not 100 percent, but  
17 you might want to relate it to geothermal because  
18 there's directional boring that they do for those  
19 lines, so it's 3 feet down and all horizontally. So  
20 you have to think about it that way. It isn't going  
21 to hit anything.

22 CHAIRPERSON TIMMERMAN: It's not solar at  
23 that point, thought. It's --

24 FROM THE FLOOR: You can still heat water

1 from the sun through those lines.

2 CHAIRPERSON TIMMERMAN: Underground?

3 FROM THE FLOOR: Uh-huh.

4 CHAIRPERSON TIMMERMAN: That seems --

5 FROM THE FLOOR: It will heat the water and  
6 it will circulate. That's why there's the GPM,  
7 gallons per minute.

8 CHAIRPERSON TIMMERMAN: Okay.

9 FROM THE FLOOR: If you want to look into it  
10 more.

11 MS. LAND: I think they probably took some  
12 of this stuff from alternative methods and maybe  
13 tagged some things in that we weren't really planning  
14 to put in.

15 We don't have anything in the House Bill 52  
16 that said that you guys had the ability to regulate  
17 geothermal or any -- only Wind and Solar. So I'm --

18 SECRETARY STACY: Right.

19 MS. LAND: -- not as comfortable with this  
20 one.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: So --

23 CHAIRPERSON TIMMERMAN: How hard -- let's  
24 pretend someone wants to put it in later. How hard is

1 it to add that later?

2 MS. LAND: We don't have the authority to  
3 add it. You don't have to authority to regulate it.  
4 You only have the authority to do what statute has  
5 given you specific authority to do. And statute has  
6 specifically said you have the authority to regulate,  
7 through zoning, Wind and Solar under the certain  
8 thresholds that are set there.

9 CHAIRPERSON TIMMERMAN: I'm saying what if  
10 there is a solar panel that you're using the sun to  
11 heat water. That's solar power at that point. What  
12 if somebody does want to put that in at some point?

13 MS. LAND: I don't think that fits the  
14 definition of solar that they have that you guys have  
15 the ability to regulate. That's more geothermal.  
16 They drill down, get warm water. It's a completely  
17 different kind of technology --

18 CHAIRPERSON TIMMERMAN: Than what it's --

19 MS. LAND: -- than what solar is. So  
20 I don't think you can regulate it. You can try, but,  
21 then, you run the risk of having somebody challenge  
22 it. If it gets challenged, then, you risk the stuff  
23 that you know you were able to do. So we don't want  
24 to -- you don't want to go too far out there on a limb

1 on something and end up making everything vulnerable.

2 CHAIRPERSON TIMMERMAN: Let's plan on taking  
3 that out then.

4 MR. EVANS: The 240?

5 CHAIRPERSON TIMMERMAN: The thermal portion  
6 of it. I'm going to do a little more research on what  
7 that is maybe, and maybe there is a way to --

8 MS. LAND: Yeah.

9 CHAIRPERSON TIMMERMAN: If we come up with a  
10 reason to add it back in. But for the sake of closing  
11 this section up, I say we take it out.

12 MS. LAND: Yeah. I think I would take out  
13 down to "...is intended to primarily reduce on-site  
14 consumption of utility power." That's where -- we'd  
15 start again at "...is intended."

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. LAND: Take out, starting at the word  
18 "or," right after "...(for electricity)," and keep  
19 taking out till you get down to "...is intended to  
20 primarily reduce..." So it's about two and a half  
21 lines.

22 MR. EVANS: What were you saying about  
23 friends?

24 MS. LAND: There are parens there around the

1 electricity.

2 CHAIRPERSON TIMMERMAN: Parentheses.

3 MR. EVANS: Oh, I got ya.

4 CHAIRPERSON TIMMERMAN: He heard "friends."

5 MS. PARGEON: Yeah. I heard "friends," too.

6 MS. LAND: Parentheses, that's a word that's  
7 hard for me to say. I always say "parens."

8 CHAIRPERSON TIMMERMAN: Primary reduce --  
9 are we getting on-site consumption.

10 MS. LAND: Once we get to the word "is  
11 intended," we stay. We keep that.

12 SECRETARY STACY: Right. Right.

13 MS. PARGEON: Yeah.

14 MS. LAND: So it will read that "...which  
15 has a rated capacity of less than or equal to  
16 15 kilowatts for electricity, and is intended..."  
17 Yeah. Should have the word "and," too. "...and is  
18 intended to primarily reduce on-site consumption of  
19 utility power."

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. LAND: Yeah. This -- when you read on,  
22 it says "...electrical or thermal power solely."  
23 I don't know that you have the ability to regulate  
24 thermal power.

1 SECRETARY STACY: Okay.

2 CHAIRPERSON TIMMERMAN: Okay. Is that it  
3 now for Accessory Use?

4 Okay. Cindy you good with that point?

5 MS. LAND: Yeah.

6 CHAIRPERSON TIMMERMAN: It wasn't too  
7 convincing.

8 For Primary Use, are we kind of copying, as  
9 far as layout, all the way through? Is that kind of  
10 how you planned on attacking this?

11 MS. LAND: I would. These definitions that  
12 are in here are going to come out and go up into your  
13 Definition section.

14 CHAIRPERSON TIMMERMAN: Yeah.

15 MS. LAND: They won't be in this section.

16 CHAIRPERSON TIMMERMAN: Yeah.

17 MS. LAND: So that saves a lot of the  
18 confusion portion here.

19 Yeah. I guess you'd have to -- you just --

20 CHAIRPERSON TIMMERMAN: Just kind of change  
21 specs and keep going with the same layout.

22 MS. LAND: You know, the thing is, one of  
23 the big things that I'm finding that's different  
24 between, like, Delaware, or that template, and

1 Washington is there is no Non-Accessory Use in here.  
2 It's all Accessory Uses.

3 CHAIRPERSON TIMMERMAN: That's all they --  
4 yeah.

5 MS. LAND: Because they haven't --

6 CHAIRPERSON TIMMERMAN: Well, in here,  
7 I think it said something -- yeah. Well, the very  
8 last sentence in the first paragraph.

9 MS. LAND: Yeah. You can't forbid it. But  
10 you can not -- okay. I can't figure out why they have  
11 in this one, "are not permitted," and then they have  
12 Non-Accessory Uses. It's contradictory, right?

13 CHAIRPERSON TIMMERMAN: Say that again.

14 MS. LAND: Well, in this Washington Township  
15 one, it says "are not permitted," which I think is bad  
16 to say anything is absolutely not permitted.

17 CHAIRPERSON TIMMERMAN: Right.

18 MS. LAND: But, then, they have a whole big  
19 section on how you regulate it. But if it's not  
20 permitted, why is it in there?

21 CHAIRPERSON TIMMERMAN: They have a section  
22 on how it's regulated?

23 MS. LAND: Sure. The non-accessory.

24 SECRETARY STACY: If it's non-accessory,

1 it's principal.

2 MS. LAND: The Principal Solar is --

3 CHAIRPERSON TIMMERMAN: What calls out  
4 Principal Solar exclusively where we --

5 MS. LAND: It's the second definition.  
6 Principal Solar Energy Production.

7 CHAIRPERSON TIMMERMAN: Oh, you're saying  
8 it's got a definition?

9 MS. LAND: It's got a definition.

10 CHAIRPERSON TIMMERMAN: Yes.

11 MS. LAND: Why? If it's not permitted.

12 CHAIRPERSON TIMMERMAN: To make it clear  
13 what --

14 MS. LAND: What you can't do?

15 CHAIRPERSON TIMMERMAN: -- is not permitted.

16 MS. LAND: Okay.

17 MR. EVANS: I mean, that makes sense.

18 MS. LAND: I'm just saying, an attorney  
19 didn't write this legislation right here. It's  
20 getting really mucky. Attorneys did write this one  
21 over here and it's a lot clearer. So let's keep  
22 working on it and see if we can unmuck it.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MS. LAND: And that was with an "M," in case



1 anybody didn't hear because I would not say the other  
2 one, at least not in a meeting.

3 (Laughter.)

4 MR. EVANS: So we're on the paragraph,  
5 Principal Solar Energy?

6 MS. LAND: Yeah.

7 CHAIRPERSON TIMMERMAN: Do you want to read  
8 that, Dave?

9 MR. EVANS: Sure. Principal Solar Energy  
10 Production Facility. An area of land or other area  
11 used for a Solar Collection System principally used to  
12 capture solar energy and convert it to electrical  
13 energy.

14 Large Solar Energy Production Facilities  
15 consist of one or more freestanding ground- or  
16 roof-mounted solar collector devices, solar-related  
17 equipment, and other accessory structures and  
18 buildings, including light reflectors, concentrators,  
19 heat exchangers, substations, electrical  
20 infrastructure, transmission lines, and other  
21 appurtenant structures and facilities which has a  
22 rated capacity of more than 10 kilowatts for  
23 electricity, or a rated storage volume of the system  
24 of more than 240 gallons, in which --

1 SECRETARY STACY: We can probably cross that  
2 out.

3 MR. EVANS: Or that has a collector area of  
4 more than one 1,000 square feet for thermal.

5 I'm assuming we are taking out the --

6 SECRETARY STACY: Yeah, I believe so.

7 CHAIRPERSON TIMMERMAN: Is that your  
8 recommendation, again, the last two lines there?

9 MS. LAND: Yeah. I think it's combining  
10 things that aren't actually solar.

11 SECRETARY STACY: Right.

12 CHAIRPERSON TIMMERMAN: The interesting part  
13 is the very first sentence. At the very end it says  
14 "...capture solar energy and convert it into  
15 electrical energy." It doesn't say transfer it into a  
16 thermal energy.

17 MS. LAND: Where are you at?

18 CHAIRPERSON TIMMERMAN: The first sentence  
19 of Principal Solar of the definition.

20 MS. LAND: Uh-huh.

21 CHAIRPERSON TIMMERMAN: The very last, like,  
22 five words says "...to convert into electrical  
23 energy." It doesn't say thermal energy.

24 MS. LAND: Right. So I think that stuff

1 is --

2 CHAIRPERSON TIMMERMAN: That already  
3 contradicts what their definition is.

4 MS. LAND: They probably took out the  
5 thermal up here, and, then, they didn't read all the  
6 way through and get the rest of it.

7 CHAIRPERSON TIMMERMAN: So, Cindy, what  
8 works best for you on creating this? I have plenty of  
9 notes on this as well.

10 MS. LAND: On what?

11 CHAIRPERSON TIMMERMAN: On, like, what I  
12 would say for Primary Use.

13 MS. LAND: Okay.

14 CHAIRPERSON TIMMERMAN: I would -- I mean,  
15 we need to come up with height again, screens,  
16 setbacks. Setbacks, I think, should be different. So  
17 I don't know if you're just going to take notes or  
18 what you were thinking.

19 MS. LAND: I'll just take notes and, then,  
20 I'll write one up in the same general structure as  
21 this.

22 By the next meeting, I will try to have this  
23 all arranged with the definitions stuck up into where  
24 the regular definitions go, and this put into its same

1 structure as the rest of the book, because we have,  
2 you know, Principal or Permitted Uses and --

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MS. LAND: -- and then Conditional Uses.  
5 We'll get that all put into the same style.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. LAND: Okay. The Primary Use, we don't  
8 have much of anything on --

9 CHAIRPERSON TIMMERMAN: At this point.

10 MS. LAND: -- so we're going to have to  
11 create it out of thin air here.

12 CHAIRPERSON TIMMERMAN: Yeah.

13 MS. LAND: Let's work on that.

14 CHAIRPERSON TIMMERMAN: A height  
15 restriction. Did we want to just keep it at 10 feet?  
16 Or does anybody want to go anything different?

17 MS. LAND: From what I recall, the big solar  
18 fields, the big ones that are not regulatable by  
19 zoning, like, over by Cass Township and Washington  
20 Township, those huge ones that are going in, I think  
21 they said that when they are fully extended, they are  
22 16 feet tall.

23 So I don't think anything above 16 is  
24 something you're probably going to see, so don't pick

1 a number, like, you can't be more than 20 because  
2 that's kind of worthless. I don't know what you want  
3 to make. I don't want if that's the standard thing,  
4 if they come lower or smaller or bigger. I don't  
5 know.

6 CHAIRPERSON TIMMERMAN: I mean, it could end  
7 up in the lot next to yours, theoretically. You know  
8 what I mean? So I'd probably keep it at 10 feet.  
9 That's what we said we were willing to live with for  
10 our neighbors.

11 MR. EVANS: We're talking about Primary Use?

12 CHAIRPERSON TIMMERMAN: For Primary Use.

13 MR. EVANS: The definition of "primary" is  
14 what?

15 CHAIRPERSON TIMMERMAN: Basically somebody's  
16 got a solar farm, and they're pumping it back into the  
17 grid and selling it.

18 MS. LAND: Or selling it to neighbors off  
19 site.

20 MR. EVANS: It's different than Principal,  
21 though, or --

22 MS. LAND: That is Principal.

23 MR. EVANS: Oh, okay.

24 SECRETARY STACY: It's one down.

1 MR. EVANS: Same thing.

2 CHAIRPERSON TIMMERMAN: Yeah.

3 SECRETARY STACY: Primary and Principal are  
4 the same.

5 MS. LAND: Do you want to call it Principal  
6 or Primary?

7 SECRETARY STACY: We need to choose one or  
8 the other, instead of going back and forth.

9 MS. LAND: Right.

10 CHAIRPERSON TIMMERMAN: I think I was going  
11 to say Principal Use because that's what we've used  
12 that word further up, but I think it's now what --  
13 it's Permitted Uses.

14 MS. LAND: Uh-huh.

15 CHAIRPERSON TIMMERMAN: Not Principal Use.  
16 So I don't -- I don't know.

17 MS. LAND: We have Non-Accessory. Do you  
18 want to call it -- or we have Accessory. Do you want  
19 to call this Non-Accessory?

20 CHAIRPERSON TIMMERMAN: I'm okay with that,  
21 if we use the term "Accessory."

22 MS. LAND: Accessory is what we've been  
23 using for that first section that we went through.

24 CHAIRPERSON TIMMERMAN: Right. I feel like

1 we've used it elsewhere in the book, too.

2 MS. LAND: Yeah.

3 CHAIRPERSON TIMMERMAN: So I think it's a --  
4 keep it as a standard term maybe.

5 MS. PARGEON: So a Non-Accessory.

6 SECRETARY STACY: We're renaming it  
7 Non-Accessory.

8 MS. LAND: Setbacks. Do you want them to be  
9 the same as -- we're basically talking about putting  
10 them on a lot that doesn't have any buildings on it,  
11 or not there for those buildings. So do you want them  
12 to have the same kind of setbacks as we have with the  
13 ones -- there aren't going to be any front and  
14 backyards because it is it.

15 CHAIRPERSON TIMMERMAN: So you're saying  
16 what kind of setbacks then?

17 MS. LAND: Do you want the same kind like  
18 you have in the Non-Accessory -- Accessory in the --

19 CHAIRPERSON TIMMERMAN: I would have -- I  
20 mean, this is -- depending upon what we decide on  
21 size, this could be huge, or it could be small,  
22 depending upon what you decide on size.

23 But let's pretend you didn't put a limit on  
24 how big it could be.

1 MS. LAND: It can't go more than  
2 50 megawatts, which is pretty big.

3 CHAIRPERSON TIMMERMAN: Right. Yeah, that  
4 was -- how many acres did we decide that was?

5 MS. LAND: 300 or something.

6 CHAIRPERSON TIMMERMAN: Yeah. So 300 acres  
7 next to your house. Okay.

8 MS. LAND: As far as the eye can see.

9 CHAIRPERSON TIMMERMAN: Do you still only  
10 want a 20-foot setback? I don't.

11 SECRETARY STACY: No, I want it way back.

12 CHAIRPERSON TIMMERMAN: Like, 200 feet?

13 MS. LAND: Well, it depends on how big you  
14 want them to be. You can -- you're allowed to  
15 regulate anything up to 50 because, then, the Power  
16 Siting Board takes over after that. So -- but you can  
17 regulate and say that you're only permitting smaller  
18 than that. We're talking 50 megawatts, not kilowatts.

19 MS. PARGEON: Let's with go the small one.

20 MS. LAND: Kilowatts are smaller than  
21 megawatts. I learned that last time. I remember.

22 SECRETARY STACY: Yeah.

23 CHAIRPERSON TIMMERMAN: So, now, I got to  
24 think whether that will do. I said a half acre would



1 be just under 50 kilowatts. It was, like,  
2 43 kilowatts. And, then, if you did that, and  
3 200-foot setbacks, it would require you to have,  
4 like -- I forget. It was roughly 6 acres of land to  
5 put -- it would keep it away from anybody's use. You  
6 know, like, being right next to your property  
7 basically.

8 So I also thought, do you have a rule that  
9 it has to be half a mile from residential use, which  
10 would be way further than any kind of --

11 MS. LAND: Residential Use or Residential  
12 Districts?

13 CHAIRPERSON TIMMERMAN: I said "use." I  
14 mean -- again, I don't think anybody wants any of this  
15 right next to their house.

16 MS. PARGEON: Uh-huh.

17 MS. LAND: What about distance between them?

18 CHAIRPERSON TIMMERMAN: Yeah.

19 MR. EVANS: I wonder if part of it's going  
20 to be, it's, like, where can they be placed? What  
21 zoned areas?

22 MS. LAND: I think only in I-2.

23 MR. EVANS: I-2.

24 MS. LAND: Probably.

1 CHAIRPERSON TIMMERMAN: That's what I have.

2 MS. LAND: They are an industrial use.

3 CHAIRPERSON TIMMERMAN: Right. So I put  
4 that in there as well.

5 So if they have to be in the I-2 District,  
6 first of all, I don't imagine -- the fact that the  
7 City of Findlay only has one business that's in  
8 I-2 District, I don't imagine we'll have a huge  
9 I-2 District. So I don't -- I mean, I don't think  
10 you're going to be able say, Oh, they've got to be  
11 10 miles apart, you know, because I don't think the  
12 district would be that big.

13 SECRETARY STACY: Right.

14 MR. EVANS: So if they have to be in I-2,  
15 and we don't have a terribly large I-2 District,  
16 keeping on the idea that we want to keep this farm  
17 ground, and I think that kind of helps not having a  
18 huge I-2 District, and then having the proper  
19 setbacks.

20 MS. LAND: I don't think you want just the  
21 setbacks. I think you do want to have some  
22 significant difference for the density -- or distance  
23 for the density.

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MS. LAND: Because, otherwise, you're going  
2 to end up with microgrids of solar as well, which  
3 you've already found that can be a detriment.

4 CHAIRPERSON TIMMERMAN: Would the microgrids  
5 have to be in I-2?

6 MS. LAND: Uh-huh. They'd have to be  
7 distanced from one another. I mean, it's the same  
8 kind of thing you're probably going to want to look at  
9 with wind. You would have the amount or the size,  
10 where you're going to -- how far apart they can be.

11 You don't want to have a field -- a large  
12 field and find out that there are five or six small  
13 fields that clump together that turn into a monster  
14 you don't want to have. Now is -- this is the place  
15 to be able to regulate that --

16 CHAIRPERSON TIMMERMAN: Right.

17 MS. LAND: -- and to try to get it under  
18 control.

19 I don't think, on page 34, there are  
20 setbacks for I-2, are there?

21 MR. EVANS: 60 feet height, 60 feet minimum  
22 front, 40 feet on the sides.

23 SECRETARY STACY: I have 40 across for all  
24 three columns.

1 MR. EVANS: Did we change that?

2 CHAIRPERSON TIMMERMAN: I don't recall  
3 changing -- that's for I-2?

4 SECRETARY STACY: I'm sorry. We're looking  
5 at I-2.

6 CHAIRPERSON TIMMERMAN: It's still 60 at the  
7 front.

8 MS. LAND: It's 60, 40, and we added 40  
9 because there was none in the back.

10 CHAIRPERSON TIMMERMAN: In back. Right.

11 MS. LAND: So it would be set back for I-2.

12 MR. EVANS: Are we happy with that for this?

13 MS. LAND: 60 --

14 CHAIRPERSON TIMMERMAN: I'm okay with those  
15 setbacks. But, with those setbacks, I would still  
16 have something that's got to be so far away from  
17 residential use.

18 MS. LAND: Right.

19 MR. EVANS: Are you saying that Findlay has  
20 a small I-2 District?

21 CHAIRPERSON TIMMERMAN: When Matt was here  
22 the one time, he said the only -- he said the only  
23 business inside of Findlay that isn't -- is  
24 considered -- or in an I-2 District, I think --

1 MS. LAND: Cooper.

2 CHAIRPERSON TIMMERMAN: -- was Cooper. He  
3 said, but they probably don't even need to be I-2;  
4 they could be I-1.

5 So my point is, if the City of Findlay  
6 doesn't require a huge I-2 district, we probably are  
7 not going to have a huge area.

8 MR. EVANS: And I think we keep it away from  
9 residential.

10 SECRETARY STACY: Yes.

11 MR. EVANS: And it's small.

12 CHAIRPERSON TIMMERMAN: Once you look at the  
13 map, there's no way to keep it away from residential  
14 use.

15 MR. EVANS: Right.

16 CHAIRPERSON TIMMERMAN: There's houses  
17 everywhere. So we need to protect those houses, and  
18 that's where we can, you know, keep it so far away.

19 MR. EVANS: Especially, can you imagine if  
20 you had a big field like that and these thing started  
21 leaking from a big hail storm or something. I don't  
22 know. I mean, I think there's -- that's going to  
23 affect residential drinking water for a long ways.

24 CHAIRPERSON TIMMERMAN: Oh, yeah.

1 Everybody's on a well, so once that leaches down.

2 SECRETARY STACY: Cadmium and lead. Now,  
3 evidently, there's -- some solar panels are less  
4 hazardous than others maybe. Maybe it's a  
5 manufacturer issue as to how they choose to put it  
6 together, but cadmium and lead are the two things that  
7 I found that make it hazardous.

8 CHAIRPERSON TIMMERMAN: So what's a  
9 reasonable density? I mean, if --

10 MS. LAND: For the distance from residential  
11 dwellings, in the current zoning stuff, in the  
12 statutes, in 519.211, it talks about limitations of  
13 zoning and what you can and can't limit. One of the  
14 things is telecommunications towers. You can limit  
15 them, but they have rules about it, which is kind of  
16 what's going on here. And they have -- you can't  
17 construct a telecommunications tower within 100 feet  
18 of a residential dwelling without providing written  
19 notice and having them agree to it and all that. So  
20 if you want to choose 100 feet from a residential  
21 dwelling, there's a standard. It's already a  
22 precedent that that's something that is accepted.

23 SECRETARY STACY: 100 feet isn't that much.  
24 My house is 175 feet from the road.

1 CHAIRPERSON TIMMERMAN: Right.

2 MR. EVANS: We've got to be talking 500 or  
3 1,000, or something like that.

4 CHAIRPERSON TIMMERMAN: I mean, I'd say a  
5 quarter of a mile. I mean, like, nobody wants it next  
6 to their house.

7 MR. EVANS: A quarter of a mile is  
8 1,300 feet, roughly.

9 MS. LAND: Okay.

10 CHAIRPERSON TIMMERMAN: So you want to say  
11 1,000 feet?

12 MR. EVANS: I'd feel a lot better with 1,000  
13 rather than 100 or anything small.

14 CHAIRPERSON TIMMERMAN: Yeah.

15 MS. PARGEON: Yeah.

16 CHAIRPERSON TIMMERMAN: What's people  
17 thinking?

18 VICE CHAIRPERSON REHUS: I say 1,000.

19 CHAIRPERSON TIMMERMAN: Are you comfortable  
20 with 1,000?

21 MS. PARGEON: Yeah.

22 MR. EVANS: And we're talking about for  
23 Primary, Non-Accessory Principal.

24 MS. LAND: Yeah.

1 (Laughter.)

2 CHAIRPERSON TIMMERMAN: Every definition.

3 MS. LAND: Cover them all.

4 MS. PARGEON: Yes. Yeah.

5 SECRETARY STACY: 1,000 feet.

6 MR. EVANS: Have we already put in it that

7 it has to be in I-2 then? Somewhere that's written?

8 MS. LAND: We did put that in somewhere.

9 SECRETARY STACY: Yeah.

10 MS. LAND: At the very first paragraph where

11 it says "...are not permitted," we put in "...shall

12 only be permitted in -- as a Conditional Use in I-2

13 Districts."

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: That's what I had penciled in

16 already. Does that work?

17 SECRETARY STACY: Uh-huh.

18 CHAIRPERSON TIMMERMAN: We need a height of

19 10 feet?

20 MS. LAND: Okay. Height of 10 feet.

21 Setback as in I-2, which would be 60, 40, and 40.

22 District, only I-2.

23 Size, I don't have anything down for that.

24 How big can they be?



1 CHAIRPERSON TIMMERMAN: I'm good with a half  
2 of an acre, but I'm up for -- I don't know. A half of  
3 an acre is going to be around 50 kilowatts.

4 SECRETARY STACY: The size of the I-2  
5 District is going to kind of determine that, right?  
6 I mean, because --

7 CHAIRPERSON TIMMERMAN: I mean, technically,  
8 they can fill the entire I-2 District.

9 SECRETARY STACY: Right.

10 CHAIRPERSON TIMMERMAN: But if we do a  
11 density as well. Any thoughts? I already said mine.

12 MR. EVANS: What were you --

13 CHAIRPERSON TIMMERMAN: I said half of an  
14 acre.

15 MS. PARGEON: Yeah. I agree with that.

16 CHAIRPERSON TIMMERMAN: It's small, but --

17 SECRETARY STACY: Uh-huh.

18 MS. PARGEON: It's good enough.

19 CHAIRPERSON TIMMERMAN: -- I mean, I don't  
20 think we're looking to promote it.

21 MR. EVANS: If it wasn't that we're all on  
22 wells, that -- to me --

23 MS. PARGEON: That'd be a big difference.

24 MR. EVANS: That's one of the big things.

1 Because I keep looking at that map, and I think, okay,  
2 let's say there's huge damage done and, you know,  
3 hundreds of those two chemicals you were saying go  
4 down in the ground. That doesn't affect people right  
5 around it. The wells, a lot of times, draw from a  
6 long ways.

7 SECRETARY STACY: Ground water travels.

8 MR. EVANS: So that's my biggest fear.  
9 Something -- you know, for my conscience, I think it's  
10 a safety factor that you have to keep it small. So  
11 I'm not going to argue the quarter acre.

12 CHAIRPERSON TIMMERMAN: Everybody I've  
13 talked to has got fears of this, so -- just like the  
14 wind.

15 MS. LAND: There are some issues with --  
16 when they are decommissioned with where the panels can  
17 be taken. They can't be taken to a regular landfill.  
18 So they must have something in them that would be a  
19 chemical not acceptable for a regular landfill.  
20 (Unintelligible) a hazard rating of some sort.

21 MR. EVANS: What were you saying? Lead and  
22 something else.

23 SECRETARY STACY: Cadmium.

24 MR. EVANS: So I'm good with a quarter acre.

1 MS. PARGEON: Yeah. Me, too.

2 MS. LAND: Quarter acre?

3 MS. PARGEON: Yeah. Quarter acre.

4 MS. LAND: How close to each other can they  
5 be?

6 CHAIRPERSON TIMMERMAN: How big -- like,  
7 when you go to set areas as the districts, do you kind  
8 of go by, like, a country block? Is that kind of the  
9 standard how you -- I mean, like, I'm --

10 MS. LAND: It depends. You can go by roads.  
11 You can go by property lines.

12 CHAIRPERSON TIMMERMAN: I'm just trying to  
13 think; how big is this district going to be.

14 MS. LAND: That's up to you guys. You can  
15 make the whole township an I-2, if you want, but I  
16 don't think that would be super popular.

17 MS. PARGEON: No.

18 CHAIRPERSON TIMMERMAN: We're required to  
19 make something I-2. Is that a true statement?

20 MS. LAND: Yes.

21 SECRETARY STACY: Yes. Yes.

22 CHAIRPERSON TIMMERMAN: Since we have it  
23 defined.

24 MS. LAND: I don't know that you have to --

1 yeah, you do. Never mind.

2 CHAIRPERSON TIMMERMAN: Okay.

3 MR. EVANS: You do have to have an I-2, and  
4 you do have to -- it has to be -- is there a minimum  
5 it has to be?

6 MS. LAND: No. Some townships, as they  
7 start to zone, if they already have things that fall  
8 into the category of I-1 or I-2, they take that area  
9 and make it I-1 or I-2. They've got it. Good. And  
10 they don't have to add more.

11 CHAIRPERSON TIMMERMAN: Uh-huh.

12 MS. LAND: Amanda Township is 100 percent  
13 Agriculture.

14 SECRETARY STACY: There's a number of them  
15 that are.

16 MS. LAND: Which, you know, at the time,  
17 I have to tell them, you know, you have -- these are  
18 the things you have to do, and they were insistent.  
19 They have a couple little spots of business and a  
20 couple little spots of residential, and the rest is  
21 all agriculture. They've never been challenged.  
22 I don't know that anybody wants to put industrial in  
23 Amanda Township. It just isn't set up for it. It's  
24 not got the infrastructure to make it feasible. You

1 have the infrastructure to make it feasible.

2 SECRETARY STACY: Yes.

3 MS. LAND: Which is why you've got to be a  
4 little more careful.

5 CHAIRPERSON TIMMERMAN: Uh-huh.

6 MR. EVANS: Are we talking about distances  
7 away from bodies of water, rivers, creeks, that kind  
8 of stuff, too? Because I'm looking at all of the  
9 crooked blue lines there, and there's a lot.

10 MS. LAND: One of the things that the Power  
11 Siting Board looks at pretty strenuously, it has a lot  
12 of restrictions on are the waterways and the wetlands,  
13 and the things -- yeah. They're concerned with  
14 proximity to water and how it's being handled.

15 CHAIRPERSON TIMMERMAN: Real quickly,  
16 because we're still debating on that, I had  
17 50 kilowatts was a little bit more than what you would  
18 get on a half of acre. Since we're at a quarter of an  
19 acre, do we want to put a limit of 25 kilowatts max?

20 MR. EVANS: Per what?

21 CHAIRPERSON TIMMERMAN: That's just the  
22 total kilowatts they can have for the entire solar  
23 farm. That -- that site would only be allowed  
24 25 kilowatts.

1 MR. EVANS: Yeah.

2 CHAIRPERSON TIMMERMAN: I think we put it in  
3 there, just a limiting factor at that point.

4 MR. EVANS: Sure.

5 MS. LAND: So 25 kilowatts; is that correct?

6 CHAIRPERSON TIMMERMAN: Yeah.

7 Screening.

8 MS. LAND: I think they have to be -- they  
9 would probably have to be completely fenced, not just  
10 screened.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. LAND: The Power Siting Board requires  
13 that they be completely fenced.

14 CHAIRPERSON TIMMERMAN: Should we put the  
15 same thing in ours?

16 MS. LAND: Probably. But the fencing that  
17 the Power Siting Board requires has to be able to  
18 allow small animals to pass under or through. They  
19 don't -- anybody who puts in very much of a solar  
20 field, they want to have it fenced because you don't  
21 want deer plundering through there, or somebody's cows  
22 wandering in and destroying them. Goats destroy them,  
23 too, apparently.

24 MS. PARGEON: Oh, yeah. They jump quite

1 high on them.

2 MS. LAND: Yeah. Rabbits and stuff that can  
3 go underneath, they're fine with that.

4 CHAIRPERSON TIMMERMAN: I say we put a note  
5 in there just to make sure that happens.

6 MS. LAND: I will look at what the Power  
7 Siting Board required, the definition of the fence  
8 around what they do, and maybe you can use that kind  
9 of --

10 CHAIRPERSON TIMMERMAN: I think so. I think  
11 that makes sense.

12 SECRETARY STACY: Uh-huh.

13 CHAIRPERSON TIMMERMAN: We're back to  
14 density. I think -- I mean, I agree, ultimately, it's  
15 going to come down to how big of an I-2 District you  
16 make, which I think will be pretty small. But I think  
17 you should still throw a density thing on there just  
18 as a coverall.

19 MS. LAND: Well, if your I-2 District,  
20 though, is even, you know, 5 acres, you can end up  
21 with, what, 20 microgrids. Think about it. All daisy  
22 chained together and you don't want that. That's part  
23 of the reason that you can control wind and solar is  
24 to keep that from happening.

1 CHAIRPERSON TIMMERMAN: So do you just say  
2 one mile in between?

3 MS. LAND: You can. Yeah.

4 CHAIRPERSON TIMMERMAN: And if we go with  
5 pretty small acreage, then, it makes it so you  
6 can't --

7 MS. LAND: You can do that.

8 CHAIRPERSON TIMMERMAN: -- microgrid?

9 MS. LAND: Or you can do -- that might be a  
10 problem, though. I was thinking, like, with houses,  
11 they say, you know, you can have one 2-acre building  
12 lot for every so many acres you own. You have one  
13 quarter acre. But, then, they could end up with them  
14 all clumped together, so I'd rather have the actual  
15 distance between them.

16 And it would be from edge of lot to edge of  
17 lot, not from edge of solar field to edge of solar  
18 field because, with that extra 1,000 feet in there,  
19 that's 2,000 more feet if they come off the -- that's  
20 more than a quarter mile closer together.

21 CHAIRPERSON TIMMERMAN: You lost me on some  
22 of that.

23 MS. LAND: Okay. You have your spot here,  
24 and they have 1,000-foot setback. If we say it can't



1 be within --

2 CHAIRPERSON TIMMERMAN: What has a  
3 1,000-foot setback?

4 MS. LAND: Isn't that what you guys said?

5 SECRETARY STACY: Yes, we did.

6 MS. LAND: You want 1,000-foot setback --

7 CHAIRPERSON TIMMERMAN: From residential.

8 MS. LAND: Oh, okay.

9 SECRETARY STACY: 1,000 foot from  
10 residential.

11 MS. LAND: Oh, okay. I'm not as worried  
12 about it. But I still -- we'll identify the distance  
13 that they have to be apart measured from lot line to  
14 lot line.

15 CHAIRPERSON TIMMERMAN: Yeah.

16 MS. LAND: That way, we don't have any  
17 ambiguity with something being on one closer, or not  
18 centered -- nothing's going to get centered in the  
19 middle of a lot. That never happens.

20 So lot line to lot line, one mile?

21 CHAIRPERSON TIMMERMAN: Yeah.

22 The last thing that I would add from my  
23 notes is a decommissioning plan.

24 SECRETARY STACY: Yes.

1 CHAIRPERSON TIMMERMAN: Is there a way to  
2 require -- like, if it costs X amount of money, that  
3 they have to put X -- that same amount of money  
4 into -- if it costs that much to put it up, they've  
5 got to put that same amount into an account that,  
6 like, the township has access to at a later date?

7 MS. LAND: Yeah. The County, like, for the  
8 landfill, they have to put into a Financial Assurance  
9 Trust Fund, and it's based at the calculation from the  
10 EPA for how long it's going to still be open for how  
11 much it will take to close it when it -- because  
12 there's a lot of maintenance that has to be done with  
13 the landfill.

14 For some of these things, though, like  
15 subdivisions, if you want to do a subdivision, when  
16 you're filing, you have to post a bond that's held by  
17 the county engineer until you are -- completely built  
18 everything that you supposed to build for the roads  
19 and the public infrastructure part of it. If you  
20 don't, we use that bond to build it.

21 So we could require that they post a bond  
22 and have the bond active, and, you know, not expired.  
23 And if they don't decommission and take care of it  
24 themselves, we get to use the bond to decommission

1 it. It's better than having an account because we  
2 can't control their bank accounts and they can draw it  
3 out.

4 CHAIRPERSON TIMMERMAN: Right.

5 MS. LAND: And if we want to do a trust kind  
6 of thing, that gets very complicated. It's more  
7 sophisticated than I think maybe we want to do. But a  
8 zoning inspector can hold a bond.

9 CHAIRPERSON TIMMERMAN: And I don't know all  
10 the terms for sure. We were talking with a friend  
11 that has family in Colorado. The company went out of  
12 business, and, now, this stuff just sits there and  
13 there's nothing. Would a bond still --

14 MS. LAND: Because the bond is in your  
15 hands.

16 CHAIRPERSON TIMMERMAN: Okay. Perfect.

17 MS. LAND: They have to post it with you,  
18 give it to you, which is an insurance policy that they  
19 have to keep up. We know, because we're named on it,  
20 that if they let it lapse, that -- and, then, we go  
21 after them to get it redone.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: Yeah. I think the bond would be  
24 a good idea.

1 CHAIRPERSON TIMMERMAN: As long as that's --

2 MS. LAND: We have to figure out how much  
3 bond, though, it would be for the decommissioning.

4 I have no clue.

5 CHAIRPERSON TIMMERMAN: Yeah. I mean,  
6 there's X amount of money -- similar amount of money  
7 to put it up to take it down then. But, then, you've  
8 got to dispose of everything.

9 MS. LAND: The disposal is going to be an  
10 issue. In 30 years, we're going to have a lot of  
11 solar panels needing to be disposed of somewhere.

12 CHAIRPERSON TIMMERMAN: Right.

13 MS. LAND: I keep hoping that, by then,  
14 there will be technology to recycle them into  
15 something useable. But as of now, I don't think there  
16 is. Because that's why they leave them sit there;  
17 they don't know what to do with them.

18 SECRETARY STACY: That's correct.

19 CHAIRPERSON TIMMERMAN: Which is a terrible  
20 strategy.

21 MS. LAND: It's not a good -- well, it's a  
22 great business strategy.

23 CHAIRPERSON TIMMERMAN: Right. Terrible.

24 MS. LAND: But it's not a good environmental

1 strategy.

2 CHAIRPERSON TIMMERMAN: So do we have to  
3 come up with what that amount is --

4 MS. LAND: We do.

5 CHAIRPERSON TIMMERMAN: -- at this point?

6 MS. LAND: Yeah. Not today. I think before  
7 you do that --

8 CHAIRPERSON TIMMERMAN: Before we finalize  
9 this.

10 MR. EVANS: That's going to be a toughy.

11 MS. LAND: We're going to have to find a  
12 resource for some of this stuff.

13 MR. EVANS: If you hired, like, an  
14 environmental company to come take them out, I think  
15 that could be 10, 20 times what to cost to put them  
16 in, or something like that.

17 SECRETARY STACY: Yes.

18 MR. EVANS: Depending on what disposal is at  
19 that point.

20 SECRETARY STACY: Correct.

21 MS. LAND: I will, tomorrow, in the office,  
22 hopefully, there will be somebody taller than me, we  
23 can pull the big boxes that I have up -- they put them  
24 up on shelves; I can't reach them anymore -- that we

1 did with the solar stuff -- those solar fields up by  
2 Washington and Cass.

3 I'll see if there's anything in there that  
4 we saw with the Power Siting Board stuff that had to  
5 do with how they determine that. Maybe we can -- or  
6 at least I can get an idea of who we could call there  
7 and ask some questions. They have engineering staff  
8 like you wouldn't believe.

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. LAND: So they might be able to give us  
11 some direction.

12 CHAIRPERSON TIMMERMAN: Okay. That's all my  
13 notes from Non-Accessory.

14 SECRETARY STACY: Good job.

15 MS. LAND: I think those are all the --  
16 pretty much all the issues you need to hit on.

17 CHAIRPERSON TIMMERMAN: Okay. You got  
18 enough to be armed?

19 MS. LAND: Yeah, I can write something up --

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. LAND: -- that won't be too garbled that  
22 you'll have to un-sort it.

23 We got nothing on Wind.

24 CHAIRPERSON TIMMERMAN: Well, we also have

1 nothing about Energy Storage.

2 MS. LAND: Yeah. I have no idea about that  
3 either.

4 MR. EVANS: We just crossed out "battery."

5 SECRETARY STACY: Uh-huh. Yeah.

6 CHAIRPERSON TIMMERMAN: So did we actually  
7 read through this last time?

8 MR. EVANS: We at least read through enough  
9 that we decided to take out the word "battery."

10 SECRETARY STACY: Yeah.

11 MR. EVANS: Do you want to read through it?

12 CHAIRPERSON TIMMERMAN: I mean, I've read --  
13 do we want to re-read through it, I guess, is the --  
14 you know what. We did read through this.

15 SECRETARY STACY: Yeah, we did. I have  
16 notes.

17 CHAIRPERSON TIMMERMAN: I remember taking a  
18 couple of notes, too.

19 MS. PARGEON: We circled stuff and took  
20 stuff out.

21 MR. EVANS: So we probably need to change  
22 "Washington Township" to "Allen," right?

23 SECRETARY STACY: Probably.

24 CHAIRPERSON TIMMERMAN: Good start.

1 MR. EVANS: Now, do we change where it says  
2 I-1, and --

3 CHAIRPERSON TIMMERMAN: That would be I-2  
4 also.

5 MR. EVANS: Because you have to store it  
6 where you --

7 MS. LAND: Where are we?

8 MR. EVANS: The top paragraph of Section 22.

9 MS. LAND: Okay. Wind Energy Conservation  
10 Facilities. What is a Wind Energy Conservation  
11 Facility?

12 CHAIRPERSON TIMMERMAN: You went to 23.

13 SECRETARY STACY: She jumped to the --

14 MS. LAND: Oh, to the end.

15 SECRETARY STACY: She went to the Wind.

16 MS. LAND: Oh, we're looking at --

17 CHAIRPERSON TIMMERMAN: Did we make --

18 MR. EVANS: The storage.

19 MS. LAND: Section 22.

20 CHAIRPERSON TIMMERMAN: My notes, "Must be  
21 on site to where the power was generated."

22 I made a note that says "Non-Accessory are  
23 not permitted," but I think that "not permitted" is  
24 something that Cindy frowns upon.



1           So can we make a note that it is accessory  
2 to Wind and Solar? That way it's kind of controlling  
3 when you could do this. I don't know that much about  
4 Energy Storage Facilities.

5           MS. LAND: So we can make it battery -- or  
6 Energy Storage Facilities related to Wind and Solar.  
7 Or how about Energy Storage Related to Wind and Solar  
8 Facilities? Does that make sense?

9           SECRETARY STACY: Yeah.

10          CHAIRPERSON TIMMERMAN: Sure. We did go --

11          MS. LAND: I've got to stop abbreviating so  
12 many things because I couldn't figure out what my  
13 abbreviations meant when I was editing.

14          CHAIRPERSON TIMMERMAN: We did go across  
15 this because I have note that says "hydrogen  
16 equivalent of megawatts or capacity." So that is  
17 something we were definitely discussing.

18          MS. LAND: But if we limit the Energy  
19 Storage Facilities only to those related to Wind and  
20 Solar, the hydrogen storage facilities won't be  
21 permitted.

22          MR. EVANS: So they're not permitted if  
23 there's not a section for them? Is that what  
24 you're --

1 MS. LAND: Well, they wouldn't be regulated  
2 under this. And, again, Hydrogen Storage Facility is  
3 not Wind or Solar, and that's all that you guys were  
4 given the authority to regulate.

5 SECRETARY STACY: Correct.

6 MR. EVANS: Oh, okay.

7 MS. LAND: Other than an Industrial use.  
8 So if somebody wants to put in a Hydrogen Storage  
9 Facility, whatever that is, they would have to -- it  
10 would definitely fall under an I-2 kind of situation.  
11 They would come -- because we have Wind and Solar  
12 under I-2, it would be where we would punt it to, to  
13 I-2. And, then, they would have to come in for  
14 Conditional Use to go through the whole process.

15 But it's not regulated like this is, Wind  
16 and Solar. It would be regulated like any other  
17 business in an I-2. Any other industrial business.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MR. EVANS: One thing I wish I knew is,  
20 like, the energy storage, what is that? I always  
21 think of batteries. Is that how most people do it?  
22 But, like, are there other ways of doing that because  
23 battery isn't a great way to have a huge building full  
24 of batteries.

1 CHAIRPERSON TIMMERMAN: And that's why we  
2 say get rid of --

3 MS. LAND: Are those explosive? Are they  
4 explosive?

5 MR. EVANS: I mean, you see some car fires.

6 SECRETARY STACY: Lithium tends to be  
7 unstable.

8 CHAIRPERSON TIMMERMAN: Yeah. But that's  
9 why we got rid of the word "battery," just in case  
10 there is something else.

11 MR. EVANS: Different storage.

12 CHAIRPERSON TIMMERMAN: That covers it.

13 So -- and we still have the 1,000 feet --  
14 you know, setback from property lines to be  
15 1,000 feet.

16 The last paragraph where it says,  
17 Non-Accessory, again, it says Battery Energy Storage  
18 Facility," we got rid of the word "battery."

19 MS. LAND: Taking the word "battery" out of  
20 everything I think.

21 CHAIRPERSON TIMMERMAN: Yeah. But it says,  
22 ...capacity of more than 10 kilowatts," and I would  
23 say a max of 25 kilowatts, or something. I'd put a  
24 limit on it.

1 MR. EVANS: Which one is that? Under the  
2 Non-Accessory?

3 CHAIRPERSON TIMMERMAN: Non-Accessory, or  
4 Principal or Primary.

5 MR. EVANS: Or whatever you want to call it.  
6 So not more than 20 kilowatts. Is that what you said?

7 CHAIRPERSON TIMMERMAN: I said 25 because  
8 that matched up with what we said --

9 MR. EVANS: Yeah.

10 CHAIRPERSON TIMMERMAN: -- before.

11 MS. LAND: So instead of saying "...of more  
12 than 10," we want to say "...of not more than 20"?

13 CHAIRPERSON TIMMERMAN: Sure.

14 MS. LAND: Was it 20 you said, or 25?

15 MR. EVANS: 25.

16 SECRETARY STACY: Maximum 25.

17 MS. LAND: 25. So we won't have that  
18 minimum of 10. We want to have a not -- maximum of  
19 25. Right now, it says "...a capacity of more than  
20 10."

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: We want to change that to say  
23 "...a capacity of not more than 25." Change it from a  
24 minimum to a maximum.

1 SECRETARY STACY: Okay.

2 CHAIRPERSON TIMMERMAN: Yeah.

3 MR. EVANS: The more you read and think  
4 through this, you think an I-2 District is not really  
5 an asset to the township; it's more of a liability.

6 MS. LAND: Yeah.

7 MR. EVANS: I mean, where -- it's like if  
8 somebody came along said, Hey, do you care if we do  
9 something here that is going to sometime start  
10 leaking. This is probably going to happen; we don't  
11 know when. And you may or may not have to deal with  
12 the cleanup.

13 CHAIRPERSON TIMMERMAN: Right.

14 MR. EVANS: All of a sudden, I'm sitting  
15 here saying, Wait. What?

16 CHAIRPERSON TIMMERMAN: Why do we want this?

17 MR. EVANS: Right. It would be different if  
18 technology was different. It was safer.

19 MS. LAND: You would probably want to make,  
20 like, around a landfill an I-2 District because it  
21 currently exists. And there are -- there's at least  
22 one business around the landfill that would  
23 definitely -- that's not a County business. It's --  
24 they rent property from the County and they have their

1 business on it, that would definitely be an I-2.

2 CHAIRPERSON TIMMERMAN: Okay.

3 SECRETARY STACY: Okay.

4 CHAIRPERSON TIMMERMAN: Any other thoughts  
5 on Energy Storage Facilities?

6 Moving on to Wind.

7 Oh, Ms. Zoe.

8 FROM THE FLOOR: I want to circle back with  
9 a true definition.

10 CHAIRPERSON TIMMERMAN: Of what?

11 FROM THE FLOOR: Of thermal power. I was  
12 way left of field by the way.

13 A thermal power station is a type of power  
14 station in which heat energy is converted to electric  
15 energy in a steam-generated cycle. Heat is used to  
16 boil water in large pressure vessels to produce high  
17 pressure steam which drives a steam turbine connected  
18 to an electrical generator. Big steam boilers.

19 MS. LAND: You don't want that, I'm just  
20 saying, because you cannot regulate that.

21 CHAIRPERSON TIMMERMAN: Okay.

22 FROM THE FLOOR: I just want to give you a  
23 true definition.

24 CHAIRPERSON TIMMERMAN: Thank you. Thank

1 you.

2 MS. LAND: That's not something we can put  
3 in there.

4 SECRETARY STACY: Okay.

5 CHAIRPERSON TIMMERMAN: All right.

6 MS. LAND: Am I missing -- no, they just  
7 don't have a title up here, right?

8 SECRETARY STACY: Correct. This Wind part  
9 that was added to Washington.

10 MS. LAND: So it would be Section 23.

11 CHAIRPERSON TIMMERMAN: That's what mine  
12 says.

13 MS. LAND: Mine doesn't.

14 CHAIRPERSON TIMMERMAN: Mine's not -- mine's  
15 the one that says "Draft" that you said is some  
16 other --

17 MS. LAND: That's Liberty's.

18 SECRETARY STACY: It depends on which paper  
19 you have. Okay. It's there, but not there.

20 CHAIRPERSON TIMMERMAN: Right.

21 MR. EVANS: Do we want to read it?

22 CHAIRPERSON TIMMERMAN: Please. If you  
23 don't mind.

24 MR. EVANS: Sure.

1           Section 23. Wind Energy Conversion  
2 Facilities.

3           The purpose of this article is to provide  
4 regulations for the safe and effective construction  
5 and operation of Wind Energy Conversion Facilities in  
6 Allen Township, subject to reasonable restrictions  
7 which will preserve the public health and safety.

8           Wind Energy Conversion Facilities are a  
9 Conditional Use in the I-2 Industrial District. The  
10 total WECS height shall not exceed 60 feet.

11           No person shall cause, allow, or maintain  
12 the use of a Wind Energy Conversion Facility without  
13 first having obtained a Conditional Zoning Certificate  
14 from the Board of Zoning Appeals. Application for  
15 Conditional Zoning Certificate shall be submitted to  
16 the zoning inspector and forwarded to the Board of  
17 Zoning Appeals.

18           Required setbacks. The minimum setback from  
19 any property line shall be 175 feet of the total  
20 system height.

21           MS. LAND: 175 percent.

22           CHAIRPERSON TIMMERMAN: 175 percent.

23           MR. EVANS: Oh, I'm sorry. 175 percent.

24           Definitions. Total Wind Energy Conversion



1 System Height. The highest point, measured in feet  
2 above the grade at the base of it that any part of it  
3 reaches during normal operation.

4 Wind Energy Conversion System. A system  
5 designed to convert the wind's kinetic energy into an  
6 alternative form of energy, including electrical,  
7 thermal, or mechanical energy.

8 CHAIRPERSON TIMMERMAN: The first thing in  
9 that -- at the end of the first paragraph there. If  
10 it's Conditional Use, would it go to us, not the  
11 zoning appeals?

12 MS. LAND: Correct. Conditional Uses come  
13 to you because you're the group who writes the  
14 legislation. You're the most likely to be able to  
15 interpret its meaning.

16 Zoning Appeals are the ones that are  
17 exceptions to this and, like, the variance or an  
18 exception or an appeal from something you guys  
19 determined.

20 CHAIRPERSON TIMMERMAN: Okay. So you'll  
21 take care of changing that out?

22 All right. Setbacks. Upon some research,  
23 the Power Siting Board, there was an exhibit filing  
24 that we located, and, they say, for a Nordex Delta4000

1 Wind Turbine. For the record, it has a height of,  
2 like, just under 600 feet to just over to almost  
3 800 feet. But they are saying --

4 MS. LAND: You said hundred feet?

5 CHAIRPERSON TIMMERMAN: What's that?

6 MS. LAND: You said hundred feet?

7 CHAIRPERSON TIMMERMAN: 800.

8 MS. PARGEON: 800. 600 foot to 800.

9 CHAIRPERSON TIMMERMAN: Just under 600, up  
10 to -- 587 to 780 are the numbers.

11 So -- but the proposed ones are 600 feet, so  
12 they would fall into a very similar category. The --  
13 from Nordex themselves, for thunderstorms, they  
14 recommend being 1 kilometer away, which is 3,208 feet.

15 MR. EVANS: Away from what?

16 CHAIRPERSON TIMMERMAN: Set back from it.

17 SECRETARY STACY: That's two-thirds of a  
18 mile; is that right?

19 MR. EVANS: Close to it.

20 CHAIRPERSON TIMMERMAN: Yeah.

21 MR. EVANS: That's over half.

22 CHAIRPERSON TIMMERMAN: So if the  
23 manufacturer is recommending that, I think we should  
24 consider -- we should take that into consideration

1 what they are saying.

2 MS. LAND: Is that based on the height of  
3 that?

4 CHAIRPERSON TIMMERMAN: It's based -- it's  
5 got to be based on the height, I would assume. But  
6 that's like --

7 MS. LAND: But we're only going 60 feet, we  
8 can have maybe a less aggressive --

9 CHAIRPERSON TIMMERMAN: Right. For sure.  
10 But that's, like, 500 percent of the feet. Not  
11 175 percent, is my point.

12 MS. LAND: Okay.

13 CHAIRPERSON TIMMERMAN: So --

14 MR. EVANS: Five times. So --

15 CHAIRPERSON TIMMERMAN: Five times the  
16 height.

17 MR. EVANS: -- then you're at 300 feet  
18 roughly.

19 CHAIRPERSON TIMMERMAN: Yeah. So I think,  
20 for setbacks, it should still be at 500 -- five times  
21 the height, or whatever, would be a good place to be.

22 SECRETARY STACY: Uh-huh. 300. We're  
23 tossing out 300 feet; is that correct?

24 CHAIRPERSON TIMMERMAN: Well, it's

1 percentage is what I would do, depending upon the  
2 height.

3 SECRETARY STACY: But we're saying it will  
4 not exceed 60 feet.

5 CHAIRPERSON TIMMERMAN: Okay. But if they  
6 put up a 30-foot one, then it's not 300 anymore.

7 MS. LAND: I think we should say five times  
8 the height of the total system height. That way --

9 CHAIRPERSON TIMMERMAN: Yeah.

10 MR. EVANS: Is that on --

11 MS. LAND: When you put 500 percent, that  
12 gets very confusing for people. When you say "five  
13 times," I think it's easier.

14 CHAIRPERSON TIMMERMAN: That's fine.

15 MR. EVANS: And that's rear, sides, front.

16 CHAIRPERSON TIMMERMAN: That's setback.

17 That's every --

18 MS. LAND: It says "from any property line,"  
19 so that's all.

20 CHAIRPERSON TIMMERMAN: Yeah.

21 MR. EVANS: Five times the height.

22 MS. LAND: Are you going to have different  
23 things for Accessory and Non-Accessory, like we did  
24 with Solar?

1 CHAIRPERSON TIMMERMAN: I'm open to that.  
2 I kind of laid it out that it would still follow the  
3 heights from the districts. So that for --

4 MS. LAND: Heights. So instead of 60 feet,  
5 the heights for the district.

6 CHAIRPERSON TIMMERMAN: Which would be  
7 60 feet for I-2. But if somebody wanted to do, like,  
8 a residential one, and they were in A-1 --

9 MS. LAND: Because the accessory could be in  
10 the Residential District.

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: It's only the Non-Accessory we  
13 have to -- we're putting into I-2.

14 CHAIRPERSON TIMMERMAN: I-2. Right.

15 MS. LAND: So we probably want to run down  
16 through the same list we did and sort of parallel it  
17 with what we did with Solar, but have it applicable to  
18 Wind because they are different issues. Right?

19 CHAIRPERSON TIMMERMAN: Right. Yeah.

20 MS. LAND: Okay.

21 CHAIRPERSON TIMMERMAN: Yeah. In my notes,  
22 I kind of went through a bunch of different zoning  
23 books and had just, like, topics they covered.

24 They had, like, Notice. Like, letting the

1 neighbors know, people within 300 feet of where it  
2 would go, or whatever -- like a certain distance know  
3 that, Hey, this is going in.

4 MS. LAND: That's a provision that's in the  
5 statute for cell towers. They have to send letters,  
6 notices within 14 days, that kind of stuff. So  
7 there's precedent for saying, yeah, let's ask for  
8 notices.

9 CHAIRPERSON TIMMERMAN: So we could do that  
10 if we want to do that, I think, the notice.

11 SECRETARY STACY: Yeah.

12 MS. LAND: Okay. We're talking about  
13 Accessory Use now, right? Let's go through that  
14 first, and, then go to Non-Accessory like we did.

15 CHAIRPERSON TIMMERMAN: Is that how you want  
16 to do it?

17 MS. LAND: That's how we did the last one.

18 CHAIRPERSON TIMMERMAN: That's fine.

19 MS. LAND: But I need to take a quick break  
20 before we do that.

21 (Ms. Land left the proceedings.)

22 CHAIRPERSON TIMMERMAN: So for Accessory Use  
23 that's going to be probably -- that's going to be more  
24 Residential. A Residential Use would be Accessory

1 Use.

2 MR. EVANS: Or a single business having  
3 something --

4 CHAIRPERSON TIMMERMAN: For sure. It's not  
5 a wind farm is my point. It's going to be a smaller  
6 application.

7 MR. EVANS: Where we limit the kilowatts or  
8 whatever.

9 CHAIRPERSON TIMMERMAN: Where we limit the  
10 height, which --

11 MS. PARGEON: How tall it is. Yeah.

12 CHAIRPERSON TIMMERMAN: -- ultimately, it's  
13 going to -- we can still limit kilowatts, as well, if  
14 we can decide on that.

15 So the question becomes what kind of  
16 distance? What do you -- who do you have to let know  
17 if you're going to put one up? People within --  
18 I mean, if we go with the height based upon what's in  
19 the Area in Bulk, you're going to be looking at a wind  
20 turbine that's going to be 30 feet tall. So you're  
21 not talking -- you're not talking what you see  
22 currently. This is what I'll call a Residential Use  
23 at that point.

24 MR. EVANS: You kind of almost have to know

1 how tall are those.

2 CHAIRPERSON TIMMERMAN: The ones that are  
3 standing are 400 feet.

4 MR. EVANS: Okay. 400 feet.

5 CHAIRPERSON TIMMERMAN: Or thereabouts.

6 MR. EVANS: Gotcha.

7 CHAIRPERSON TIMMERMAN: So you're talking  
8 much shorter at this point for an Accessory Use, and  
9 do you have to let all of your neighbors know within a  
10 quarter mile? And 30 feet is as tall as your house.  
11 I mean, home builder?

12 MR. EVANS: Yeah.

13 CHAIRPERSON TIMMERMAN: I mean, for a rough  
14 number.

15 MR. EVANS: Right.

16 CHAIRPERSON TIMMERMAN: You're not talking  
17 crazy high at that point.

18 MR. EVANS: No, you're right.

19 CHAIRPERSON TIMMERMAN: This is a more  
20 residential use.

21 MS. PARGEON: Which is for one single one.

22 MR. EVANS: So would it have a five times  
23 setback, 150 feet, or was that just for --

24 CHAIRPERSON TIMMERMAN: I think, you know,



1 if it's regulated at 30 feet, maybe you go maybe  
2 250 -- two and a half times -- I was going to do  
3 percent again. Two and a half times, instead for a --  
4 so it would be a smaller setback at that point, but  
5 still -- you still want a reasonable setback.

6 SECRETARY STACY: Right.

7 CHAIRPERSON TIMMERMAN: So --

8 MR. EVANS: So you think a setback for  
9 Accessory Use is two and a half times?

10 SECRETARY STACY: Yeah.

11 CHAIRPERSON TIMMERMAN: If you did two and a  
12 half times and it was 30 feet tall, that would be  
13 60 -- that would be, like, 75 feet. And, then, at  
14 that point, if somebody wanted to put one on their  
15 residential -- or like an A-1 lot, chances are you  
16 could probably -- you would be able to do it because  
17 we said the A-1 lot, if you -- future A-1 lots, I  
18 should say, because if you make them 200 feet wide,  
19 75 feet would be somewhere in the middle off of  
20 setbacks. You could put one on an A-1 Residential  
21 building lot. So if somebody wanted to do it, they  
22 would have the ability to do it at that point.

23 SECRETARY STACY: Uh-huh.

24 (Ms. Land joined the proceedings.)

1 MS. LAND: What is the height that you came  
2 up with?

3 CHAIRPERSON TIMMERMAN: We said two and a  
4 half times.

5 MS. LAND: That's for the setback, right?  
6 Two and a half times of what? What's the maximum?

7 CHAIRPERSON TIMMERMAN: The maximum will be  
8 30 feet falling along the area involved.

9 MS. LAND: Okay. Is that feasible? Do they  
10 actually exist that size?

11 MR. EVANS: That's what I'm wondering.

12 CHAIRPERSON TIMMERMAN: I'm sure you can get  
13 something. I mean, I've -- I've seen stuff that was  
14 mounted right on the corner of somebody's shed, and it  
15 only stood up this much above the shed. So, I mean --

16 MS. LAND: Okay. What about maximum output?

17 CHAIRPERSON TIMMERMAN: At the end of day,  
18 do I care what the output is?

19 MR. EVANS: That's what I was asking.

20 SECRETARY STACY: I don't think you do.

21 MS. LAND: Well --

22 SECRETARY STACY: Or do we have to identify  
23 it?

24 MS. LAND: You don't really have to identify

1 it. It could be up to 5 megawatts then.

2 CHAIRPERSON TIMMERMAN: But you would never  
3 get that on a 30-foot.

4 MS. LAND: No. As I understand it, like,  
5 the one -- the current turbines that are out there,  
6 three of them are, like, 4.6 --

7 CHAIRPERSON TIMMERMAN: Right.

8 MS. LAND: -- megawatts.

9 CHAIRPERSON TIMMERMAN: They're one and a  
10 half megawatts per one up there.

11 MR. EVANS: But if they made them more  
12 efficient. To me it's, like, okay, I wouldn't care if  
13 this guy had one and this guy's looked exactly the  
14 same, but it put out twice the power, I wouldn't care  
15 about that.

16 SECRETARY STACY: Right.

17 MS. LAND: So it's more you're regulating  
18 the size and its place, not the output?

19 MR. EVANS: Right.

20 FROM THE FLOOR: The size is the problem.

21 CHAIRPERSON TIMMERMAN: Yeah. A lot of head  
22 nods on, "The size is the problem."

23 MS. PARGEON: If you keep them miniature,  
24 they're okay. Go giant, forget it.

1 SECRETARY STACY: Okay.

2 CHAIRPERSON TIMMERMAN: So how about for  
3 notice? Do we need to let everybody know within a  
4 certain radius?

5 MS. PARGEON: At least let the neighbors  
6 know.

7 CHAIRPERSON TIMMERMAN: That's kind of my  
8 point. Let the neighbors know you're putting it up.

9 MS. PARGEON: Yeah, let the neighbors know.

10 MR. EVANS: Maybe adjoining properties or  
11 something like that.

12 MS. PARGEON: Yeah. Right.

13 CHAIRPERSON TIMMERMAN: With the notice,  
14 does anybody get a say? Like, you said the cell  
15 tower, or whoever, just because you tell them, do they  
16 get any kind of say, or is it just peace of mind that  
17 they know it's happening?

18 MS. LAND: I think they have the ability to  
19 object.

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. LAND: There's not a lot of stuff to do.  
22 It is mostly just making them good neighbors and not  
23 springing it on anybody. So what good is notice if  
24 people can't --

1 SECRETARY STACY: That's true.

2 MS. PARGEON: Say something about it, yeah.

3 SECRETARY STACY: That's true.

4 CHAIRPERSON TIMMERMAN: So they would have  
5 the ability to object?

6 MS. LAND: Do you want them to have the  
7 ability to object?

8 MS. PARGEON: You don't want to cram  
9 anything down anybody's throat.

10 MR. EVANS: I can't think what good reason  
11 it is, but, of course, that's because we're sitting  
12 here in the perfect world scenario.

13 CHAIRPERSON TIMMERMAN: If it -- yeah. If,  
14 you know -- the light flicker, I've heard this  
15 argument. The light flicker, if you have like an  
16 autistic child, okay. That probably wouldn't be great  
17 for them, you know. Is it different off of a 30-foot  
18 versus a 400-foot? For sure. I don't know.

19 MR. EVANS: I see what you're saying. If  
20 they have a security light right behind it, and here's  
21 the light, and here's the neighbor house (indicating).

22 MS. PARGEON: So that wouldn't be good.

23 MS. LAND: That's something they come to the  
24 zoning commission and you look at that stuff. You'll

1 have to go through the -- I mean, I think if it's --  
2 and if it's going to come to a zoning commission  
3 meeting for a Conditional Use, you'll need to send out  
4 notices as a zoning commission ten days before your  
5 hearing to everybody that surrounds the property  
6 that's being -- no matter what the issue is. I mean,  
7 when you have a --

8 CHAIRPERSON TIMMERMAN: That's what you have  
9 to do?

10 MS. LAND: Yeah. So surrounding property  
11 owners need to know that you're going to have a  
12 hearing on that.

13 CHAIRPERSON TIMMERMAN: So if you have a  
14 hearing, do they have ability to object at that point?

15 MS. LAND: Well, they can give you their  
16 opinions and you have to take them under  
17 consideration. But you don't -- they can't veto what  
18 somebody else wants to do.

19 If they -- if you have rules that this is  
20 what can be allowed, and you have conditions that you  
21 put on it, you may always have some neighbor that's  
22 not going to be happy.

23 CHAIRPERSON TIMMERMAN: Right.

24 MS. LAND: You can't give them the power to

1 take that away from another property owner, if they're  
2 following all the rules.

3 But they do have the right to come and tell  
4 you why they think it's going to hurt them. Some  
5 people have -- they'll give you a legitimate argument;  
6 some may not. You don't know.

7 I've been to a lot hearings where, "I just  
8 don't want that by me." Well, that doesn't work.

9 CHAIRPERSON TIMMERMAN: Sorry.

10 SECRETARY STACY: Right.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. PARGEON: Or ones that just show up.

13 MS. LAND: There are those. And there's  
14 nothing wrong with that, but, by default, people will  
15 get notice.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. LAND: Because it's going to be a  
18 Conditional Use.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MS. LAND: Now, if you put on it there that  
21 it's a requirement of the applicant to give the  
22 notice, it saves you guys some hassle and trouble.

23 CHAIRPERSON TIMMERMAN: Sure. I like that  
24 point.

1 MS. LAND: The future zoning inspector will  
2 really like that.

3 CHAIRPERSON TIMMERMAN: Okay. Do it then.

4 I read in a couple of them where it says it  
5 must meet electric code, building code, stuff like  
6 that. Is that stuff that you actually have to spell  
7 out?

8 MS. LAND: We have that up in here. Design  
9 the Solar Energy System must conform to all applicable  
10 industry standards, as well as all local power and  
11 utility regulations and standards.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: You can put that same thing in  
14 here.

15 CHAIRPERSON TIMMERMAN: Are you going to  
16 start from, like, the solar and kind build?

17 MS. LAND: I'll take those kind of things  
18 out of there. But I think you do need to have that it  
19 has to comply to particular standards.

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. LAND: Because, you know, it's not our  
22 job to police what somebody does on their property if  
23 it's going to be something that turns out to be dumb.  
24 But we don't want to give permits for something that



1 they do that's going to burn down their house and the  
2 neighbor's house because they didn't follow the  
3 standards. You know, sometimes the DIYs go terribly  
4 wrong.

5 VICE CHAIRPERSON REHUS: Especially at my  
6 house.

7 MS. LAND: Speaking from experience.

8 CHAIRPERSON TIMMERMAN: Another section I've  
9 seen is utility notifications, or contacting the  
10 utility company. If you're going to sell back any  
11 power, I assume you have --

12 MS. LAND: They'd have to have agreements in  
13 place with the utility companies. And we don't want  
14 to be involved in that.

15 SECRETARY STACY: No.

16 MR. EVANS: No.

17 CHAIRPERSON TIMMERMAN: So just leave that  
18 out? I mean, they're going to put it -- just randomly  
19 wire into the power line.

20 MS. PARGEON: Well, the utility, wouldn't  
21 they --

22 MS. LAND: Not for long.

23 CHAIRPERSON TIMMERMAN: So they're going to  
24 have to be in contact.

1 MS. LAND: Yeah. They'll have to. But that  
2 would, I think, fall under the local power and utility  
3 regulations and standards.

4 CHAIRPERSON TIMMERMAN: Which would be back  
5 up at that previous -- okay.

6 Okay. Where to go to next? I've seen  
7 aesthetics. They've got to be painted white or gray.

8 MS. LAND: You can't zone aesthetics.

9 CHAIRPERSON TIMMERMAN: Perfect. That's  
10 done.

11 MS. LAND: They can be purple, if they want.

12 CHAIRPERSON TIMMERMAN: How about a  
13 required, like, maintenance schedule?

14 MS. LAND: I don't know that you can  
15 require -- you can't micromanage into the day-to-day  
16 with zoning. You can do the decommission stuff. But  
17 how they're doing it in between, it just makes a  
18 difference for when they get to the decommission time.

19 You know, we can't -- we can do the checking  
20 in, make sure it's still producing power, and they're  
21 still using it, like we do with the solar fields. But  
22 we can't -- I think that goes a bit beyond your scope.  
23 People will push back on that.

24 CHAIRPERSON TIMMERMAN: Okay. Are you

1 looking at these all from an Accessory and  
2 Non-Accessory point of view like that?

3 MS. LAND: Some, yeah. Some will never  
4 apply to Non-Accessory, so these things you're talking  
5 about?

6 CHAIRPERSON TIMMERMAN: Yeah. I'm kind of  
7 checking them off as things we've gone through. And  
8 I'm like, well, does it somehow apply to one but not  
9 the other, is all I'm asking.

10 MS. LAND: Right.

11 CHAIRPERSON TIMMERMAN: I've seen warning  
12 signs.

13 MS. LAND: Warning of what?

14 CHAIRPERSON TIMMERMAN: The electrical  
15 power, or whatever. You don't sound too --

16 There's permit processes. So, like, what  
17 you require, which falls under the -- Solar had  
18 something very similar.

19 MS. LAND: Uh-huh. We'll require that they  
20 get all the applicable permits to be able to produce  
21 what they are producing.

22 CHAIRPERSON TIMMERMAN: Yeah. So that will  
23 be that.

24 How about, like, noise ratings?

1 MS. LAND: You can regulate noise. You can  
2 probably --

3 MS. PARGEON: The decibels of it.

4 MS. LAND: You can regulate noise.

5 CHAIRPERSON TIMMERMAN: Yeah.

6 MS. LAND: You can't regulate times of use  
7 of noise. You can't say that, You can't have any  
8 noise after 10:00 p.m. You can't do that.

9 I mean, there's some pretty significant case  
10 law about that. Apparently, when King's Island -- no,  
11 not King's Island. Six Flags went in up by Cleveland,  
12 by Aurora, I guess, the neighbors were not happy with  
13 how late the coasters were running and the lights were  
14 on. And they tried to zone it, too, and they lost at  
15 the State level. They can't do that.

16 CHAIRPERSON TIMMERMAN: Okay. From a lot of  
17 the ones I was looking at, it looks like Green  
18 Creek's, theirs is 60 decibels. Alpena is  
19 55 decibels. And I think this was Shawnee Township  
20 was 50 decibels.

21 MS. LAND: What is a normal amount of sound  
22 output from one?

23 CHAIRPERSON TIMMERMAN: I don't know.

24 MS. LAND: I don't either. I don't know

1 what number to pick. And how are we going to measure  
2 it?

3 MR. EVANS: Part of that would be handy to  
4 have, like, let's say somebody's got a bad bearing.  
5 I don't know these -- and it's squealing and it  
6 squeals all night long --

7 CHAIRPERSON TIMMERMAN: Right.

8 MR. EVANS: -- if there's not any way that  
9 you can say, Hey, you've got to fix that.

10 MS. PARGEON: You got to grease it.

11 MR. EVANS: Where if there's some kind of  
12 decibel thing, if you're in your yard, and it's --

13 CHAIRPERSON TIMMERMAN: I think, for me,  
14 part of the permitting would be to have documentation  
15 on what you're putting in, and I would think that they  
16 all say, This unit is this many decibels, or, you  
17 know, they would have a rating of it.

18 MS. LAND: But we need to know what our  
19 maximum that we'll permit is. I think we have to have  
20 that in there.

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: And I have not a clue. I don't  
23 even know where to find that. I suppose we could  
24 probably Google the manufacturers and see what they

1 say.

2 CHAIRPERSON TIMMERMAN: Zoe, you on it?

3 FROM THE FLOOR: I know there is like a  
4 certain amount of decibels that you're not supposed to  
5 consecutively have --

6 CHAIRPERSON TIMMERMAN: Yes.

7 FROM THE FLOOR: -- on a day-to-day.

8 CHAIRPERSON TIMMERMAN: Do you want to --  
9 can you do a Google search on what decibel --

10 FROM THE FLOOR: I do know that you can't --  
11 over 80 is you need earplugs.

12 CHAIRPERSON TIMMERMAN: Right.

13 FROM THE FLOOR: That's just, you know,  
14 like, a short bit. So if there's a -- I've got to  
15 find decibel range.

16 CHAIRPERSON TIMMERMAN: Doing a Google  
17 search on it, 60 is conversation, is my understanding.

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: So just imagine your  
20 neighbors outside talking all the time, except for  
21 it's not talking.

22 MS. LAND: When we were at the Power Siting  
23 Board, they had the sound engineers testifying, and  
24 they were saying the decibels that come off of the

1 sound of the hum on, you know -- and they were, like,  
2 5, or something like that. And they are like, Well,  
3 how much is that? And the guy goes, "Well, somebody  
4 your age wouldn't hear it." Like, thank you.

5 (Laughter.)

6 FROM THE FLOOR: 35 to 40 decibels is the  
7 normal -- the average output of a land-based  
8 utility-scale wind turbine.

9 FROM THE FLOOR: But that's from 300 meters  
10 away.

11 CHAIRPERSON TIMMERMAN: 300 meters?

12 FROM THE FLOOR: Yeah.

13 MR. EVANS: That's a long ways away.

14 CHAIRPERSON TIMMERMAN: That's a long ways  
15 away.

16 FROM THE FLOOR: Where are you measuring it  
17 from? The edge of your setback?

18 CHAIRPERSON TIMMERMAN: Probably from the  
19 setback would be a good place to measure from.

20 SECRETARY STACY: What if you had multiple  
21 ones?

22 MS. PARGEON: Yeah.

23 CHAIRPERSON TIMMERMAN: It would add up.

24 MS. PARGEON: And they all get together at

1 the same time.

2 MR. EVANS: It almost seems like you're the  
3 one that is -- it's not yours; it's your neighbor's.  
4 And it seems like if you stand on your property line  
5 it shouldn't be so loud. You know what I'm saying?  
6 Like, if it's loud in here, and they've got 20 acres,  
7 I don't care how loud it is there. It's at my  
8 property line that I don't want to hear it.

9 CHAIRPERSON TIMMERMAN: Right.

10 SECRETARY STACY: Right.

11 CHAIRPERSON TIMMERMAN: It's for protecting  
12 you from your neighbor.

13 MR. EVANS: Right. That way, I guess,  
14 maybe --

15 CHAIRPERSON TIMMERMAN: Deb brings up a good  
16 point. What if somebody put up five of them. It's  
17 additive. You know, it's going to get louder and  
18 louder.

19 MS. PARGEON: Especially when they get into  
20 sync together.

21 CHAIRPERSON TIMMERMAN: Yeah.

22 MS. PARGEON: And they do.

23 CHAIRPERSON TIMMERMAN: Firsthand knowledge.

24 MS. PARGEON: Firsthand knowledge. Yes.



1 MS. LAND: Well, you could alleviate that by  
2 putting a maximum on how much output they can have.

3 Like, if, you know, you don't want them to  
4 end up with four or five on one property for an  
5 Accessory Use, you could limit the amount of output  
6 they're allowed to produce, and, then, it will cut  
7 down on how many they'll have. And, again, we're in a  
8 realm of I have no idea what those numbers are or how  
9 to do that.

10 FROM THE FLOOR: Really quick. According to  
11 Wind Measurement International, they did some studies  
12 on this, it looks, and they say it is around 96 to  
13 101 decibels from zero feet. So that's point of  
14 origin what the decibel output is. It goes down on a  
15 curve the further --

16 CHAIRPERSON TIMMERMAN: So you need earplugs  
17 underneath it.

18 FROM THE FLOOR: Huh?

19 CHAIRPERSON TIMMERMAN: So you need -- yeah.  
20 That's for playing along.

21 I said, So you need earplugs underneath it?  
22 What? Can't hear ya.

23 You've been around wind turbine too much.

24 FROM THE FLOOR: I guess.

1 FROM THE FLOOR: And it says no higher than  
2 80 decibels for adults. No higher than 75 for  
3 children, 40-hours-a-week exposure. That's a week.  
4 40 hours a week.

5 MR. EVANS: That's what I was kind of  
6 thinking. And I don't know, if you have two  
7 45 decibels side by side, does that mean it's 90 or is  
8 it still 45?

9 CHAIRPERSON TIMMERMAN: I don't think it  
10 adds up that way. I can't remember how they add up.

11 MR. EVANS: Right. And that's why I think  
12 it is a big concern at your property.

13 MS. LAND: I never even took physics.

14 FROM THE FLOOR: You guys are teaching me  
15 all kinds of things here.

16 CHAIRPERSON TIMMERMAN: So, for Accessory  
17 Use, I'd probably -- first of all, I think it -- I  
18 think it matters what it is at the setback distance  
19 because, ultimately that's your neighbor's property.  
20 So I think that's where it matters. But the  
21 literature that comes with it, isn't it going to say  
22 at 75 feet, or, you know, at your setback, it's not  
23 going to come that way.

24 MS. LAND: So you're talking about -- when

1 you were talking about your neighbor and your property  
2 lines, talking about if this is the property that has  
3 the wind turbine, we want to know what the sound is  
4 here at the edge of the property that belongs to the  
5 guy next door, correct?

6 MR. EVANS: That's my thought.

7 MS. LAND: So we don't -- over here, we  
8 don't care. That's up to them.

9 SECRETARY STACY: That's right.

10 MS. LAND: It would be bad to have too high.

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: Yeah. But let's hope they don't  
13 do that. But we need it measured from the neighbor's  
14 property line.

15 CHAIRPERSON TIMMERMAN: Right. That would  
16 be ideal way to do it, but that's not what the  
17 literature is going to say, is my point.

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: I think it's going  
20 to taper off over a distance. I think, if you put --  
21 I mean, if you -- choosing a number arbitrarily, if  
22 you say that the literature has to be 50 decibels or  
23 less, then -- or say it is at 50 decibels, at the  
24 proper line it's probably 45 decibels. So I don't

1 remember what was 45 decibels. Your refrigerator is  
2 45 decibels?

3 SECRETARY STACY: Did they say 80 was  
4 conversation?

5 CHAIRPERSON TIMMERMAN: 60 is conversation.

6 FROM THE FLOOR: Really quick. So the  
7 45 decibel range from earlier, at 300 meters away,  
8 just to give a kind of scale there, that's about  
9 1,000 feet. And according to the Ohio Board of  
10 Medicine, they've done studies showing that -- they  
11 say that turbines have sound disturbance up to  
12 1,300 feet away. So that's --

13 CHAIRPERSON TIMMERMAN: That was what  
14 decibel then at 1,000?

15 FROM THE FLOOR: That's 45 at 300 meters  
16 away, which is about -- which is 984 feet.

17 CHAIRPERSON TIMMERMAN: Say the number  
18 again, decibels at that distance.

19 FROM THE FLOOR: 45.

20 CHAIRPERSON TIMMERMAN: 45 decibels, and  
21 that's -- and they say that's still a disturbance?

22 FROM THE FLOOR: The Ohio Board of Medicine.

23 CHAIRPERSON TIMMERMAN: Yeah. So, I mean,  
24 if that's a disturbance, I think it's got to be, like,

1 40 then at the property line, which is probably 45 in  
2 the literature, just to make a number at this point.

3 Does anybody agree? We good with that?

4 MS. PARGEON: Yeah.

5 MR. EVANS: And I think it's got to be that  
6 way.

7 MS. LAND: So we're saying 40 at the  
8 property line.

9 CHAIRPERSON TIMMERMAN: And 45 would be the  
10 max, from the literature.

11 MR. EVANS: I think something happens, with  
12 age, it gets noisier. You should still be able to  
13 stand on your property line. Okay. It used to be 40,  
14 but now it's 60. Then you should be able --

15 CHAIRPERSON TIMMERMAN: Right.

16 MS. LAND: As we age, we don't hear as much.

17 MS. PARGEON: Well, if they would grease it  
18 now and then, they would -- it wouldn't get loud, if  
19 they remember to do the maintenance on it.

20 CHAIRPERSON TIMMERMAN: I think if -- I  
21 think it's going to be tough, to your point, of who is  
22 going to monitor it at the property line. That's why  
23 I'm choosing numbers. So I thought 45 for the unit  
24 itself. And, then --

1 MS. LAND: Then the property owner will have  
2 the burden of selecting the unit that they want to use  
3 that has the stats that fit what we're asking for.

4 CHAIRPERSON TIMMERMAN: Exactly. And if the  
5 -- then the only time you would ever have to enforce  
6 the 40 at the property line is if the neighbor's,  
7 like, Hey, listen. It's gotten a lot louder over the  
8 years, and, then, at that point you can probably --  
9 you could get a decibel meter.

10 MS. LAND: Decibel meter. The health  
11 department might be able to do those kind things to  
12 help you out with it. They can do light meters and  
13 different -- you know, that lumen candles.

14 FROM THE FLOOR: So the Apple Watch does  
15 sounds decibels, and you guys talking, for me, is 50.

16 CHAIRPERSON TIMMERMAN: Do you want us to  
17 quiet down?

18 FROM THE FLOOR: Too loud. Okay. My ears  
19 are really --

20 MS. PARGEON: Didn't know you had watch that  
21 could tell you that.

22 MR. EVANS: I think there's an app for the  
23 phone.

24 CHAIRPERSON TIMMERMAN: That's what she was

1 just saying.

2 SECRETARY STACY: Yeah.

3 MS. LAND: My watch isn't that fancy.

4 CHAIRPERSON TIMMERMAN: For safety reasons,  
5 should there be a wind speed rating? I mean, what  
6 happens whenever it gets above certain wind speed?  
7 You ever seen the YouTube videos where they explode?

8 MS. PARGEON: Yeah. If nobody's home to  
9 shut it off quick.

10 MS. LAND: Will the setbacks that we are  
11 establishing accomplish what we want with that?

12 SECRETARY STACY: I think so.

13 MS. LAND: Because, you know, we're not --  
14 zoning isn't telling you how to do your thing on your  
15 property. They're telling you how to do your thing on  
16 your property so it doesn't affect your neighbor.

17 CHAIRPERSON TIMMERMAN: Right.

18 MS. LAND: So if they create for themselves  
19 a situation that burns up their wind turbine, or  
20 whatever --

21 MS. PARGEON: That -- we can rejoice.

22 MS. LAND: That's something that we can't  
23 really regulate for.

24 CHAIRPERSON TIMMERMAN: Okay. You good with

1 that then?

2 SECRETARY STACY: Yeah.

3 CHAIRPERSON TIMMERMAN: I've seen where they  
4 had lighting restrictions. You can't have any lights  
5 that -- anything -- you can't have any more than what  
6 the FAA requires. But if you're at 60-foot, there's  
7 is no FAA requirement. So I imagine there's not going  
8 to be lighting.

9 MS. LAND: There's no FAA requirement for a  
10 60-foot?

11 CHAIRPERSON TIMMERMAN: I have no idea. I'm  
12 assuming that. I have no idea.

13 MS. PARGEON: Well, they have to put a light  
14 on it. You have to have a light on it.

15 MR. EVANS: Oh, this is --

16 CHAIRPERSON TIMMERMAN: It's only 60 feet  
17 tall. What's flying at 60 feet?

18 MS. PARGEON: Oh, okay. Nothing. Birds.

19 MR. EVANS: If we're talking accessory,  
20 that's 30 --

21 MS. PARGEON: Yeah, the crop duster. Yes.

22 CHAIRPERSON TIMMERMAN: Then say, No more  
23 than what the FAA requires.

24 MS. LAND: Yeah.



1 CHAIRPERSON TIMMERMAN: Actually, we're  
2 looking at Accessory Use right now, so we're looking  
3 at 30 feet.

4 MS. LAND: They are flying at 30 feet.

5 CHAIRPERSON TIMMERMAN: Yeah. But just to  
6 keep it consistent, if you want to put the FAA  
7 requirement on lighting.

8 Another thing I've seen for safety reasons  
9 is climb prevention. Maybe that's a bigger thing  
10 on --

11 MS. LAND: That's a personal thing inside  
12 their lot. It is.

13 CHAIRPERSON TIMMERMAN: Okay.

14 SECRETARY STACY: I agree.

15 MS. LAND: Somebody would have to be -- it's  
16 either them on their lot, or somebody trespassing.

17 SECRETARY STACY: True.

18 MS. LAND: And, then, that's, again --

19 CHAIRPERSON TIMMERMAN: Vertical clearance.  
20 So how -- basically how low the blade can swing.

21 MS. PARGEON: So it doesn't take anybody's  
22 head off.

23 SECRETARY STACY: Again, if it's not --

24 MS. LAND: As long as --

1 SECRETARY STACY: It's on --

2 MS. LAND: -- it stays within the setbacks.

3 CHAIRPERSON TIMMERMAN: There was a maximum  
4 vibration that was in Alpena. I handed that over to  
5 you.

6 MS. LAND: Where is Alpena?

7 CHAIRPERSON TIMMERMAN: Michigan.

8 MS. LAND: Okay. Not Ohio rules. They may  
9 get to do stuff we can't do.

10 CHAIRPERSON TIMMERMAN: Okay. So -- and  
11 I wouldn't even know where to start on max vibration.

12 MS. LAND: I haven't a clue.

13 MS. PARGEON: Well, maybe it would fall  
14 apart and we wouldn't have to worry about it.

15 CHAIRPERSON TIMMERMAN: Potential ice  
16 throwing.

17 SECRETARY STACY: Again, setbacks. That  
18 would be -- the neighbor should be protected. And if  
19 you incur damage on your property, it's of your own  
20 choosing.

21 MS. LAND: And if we find that there are  
22 30-foot wind turbines that are ice throwing far enough  
23 to damage, then we have to relook at our setbacks and  
24 deal with that.

1 CHAIRPERSON TIMMERMAN: Again, though --

2 MS. LAND: Seems like an awful long way.

3 CHAIRPERSON TIMMERMAN: Yeah. It would  
4 apply to Non-Accessory, which could be taller.

5 MS. LAND: When we get to the Accessory, we  
6 may have some other issues with that.

7 CHAIRPERSON TIMMERMAN: Visual impact.  
8 I assume that probably goes back to the aesthetics  
9 basically.

10 MS. LAND: Yeah.

11 CHAIRPERSON TIMMERMAN: Shadow flicker.

12 MS. LAND: Won't the setbacks take care of  
13 that?

14 MS. PARGEON: Yeah. I hope so.

15 SECRETARY STACY: I would think.

16 CHAIRPERSON TIMMERMAN: I would assume, for  
17 the most part.

18 Anything with interconnection agreements?

19 MS. LAND: That, I think, is covered by  
20 saying that they have to have all local power utility  
21 regulations and standards followed.

22 CHAIRPERSON TIMMERMAN: Equipment  
23 replacement. If -- anything that's grandfathered in,  
24 if you have -- are they allowed to replace it?

1 MS. LAND: I think that would fall under  
2 your Nonconforming Uses. If it's something that's  
3 nonconforming, then it would fall under the same  
4 category as any other nonconforming use.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: See, it's a double-edge sword  
7 saying that, if something is permitted, and, then, it  
8 can't be replaced, then you have a tendency to have  
9 things really run down. As opposed to, if you can  
10 replace them, they can be upgraded and kept. So  
11 it's --

12 CHAIRPERSON TIMMERMAN: Right.

13 MS. LAND: -- kind of a six of one, half a  
14 dozen of the other. And I'm not sure which way -- you  
15 guys can pick how you want to look at it.

16 CHAIRPERSON TIMMERMAN: I would assume  
17 you -- I mean, I don't know. Would you have to  
18 resubmit for approval at that point?

19 MS. LAND: Only if they're going to be  
20 changing materially what it is. If you have a permit  
21 to build your house, you don't have to get another  
22 permit to do anything on the inside or around the  
23 siding, the roof. You would need a permit to add a  
24 deck because you're changing your footprint.

1           So it would be like if they are changing the  
2 height, the decibels, anything that changes the rules  
3 where it's not going to fit what it fit in the last  
4 one, then they would have to come back and get a  
5 different permit. As long as they are replacing with  
6 what they have, then you wouldn't have to.

7           CHAIRPERSON TIMMERMAN: Okay. I think it  
8 should follow the same rules as what we did with, you  
9 know, if something's destroyed, it's still -- you said  
10 60 percent on other items. I think that's where we  
11 settled.

12           SECRETARY STACY: Nonconforming Uses.

13           MS. LAND: That's for the Nonconforming Use.

14           CHAIRPERSON TIMMERMAN: Where it stated  
15 before, would that cover this as well?

16           MS. LAND: Uh-huh. As long as it's --

17           CHAIRPERSON TIMMERMAN: If it's a generic.

18           MS. LAND: If it exists and it's not in a  
19 I-2 section for Non-Accessory --

20           CHAIRPERSON TIMMERMAN: Yeah.

21           MS. LAND: -- yes. That 60 percent only  
22 applies if it's a nonconforming use. But if it's  
23 allowed in the area that it's in, and it's a  
24 conforming use, then, that 60 percent won't have

1 anything to do with it. It can be totally destroyed;  
2 they can put it back because it's not nonconforming.  
3 It's allowed.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: What about if they stop  
6 functioning? Do you want to have a every-other-year  
7 check-in like we do for solar?

8 MS. PARGEON: Yeah.

9 MS. LAND: Make sure they're still  
10 functioning?

11 CHAIRPERSON TIMMERMAN: The good news is you  
12 can look at a wind turbine --

13 MS. LAND: You can tell.

14 MS. PARGEON: No, it's not going.

15 CHAIRPERSON TIMMERMAN: I saw, on other  
16 ones, if they're not functioning, you know, if you see  
17 that they're not working for, like, 30 days or  
18 something like that, 90 days, 30 days, I can't  
19 remember, then it has to be tore down.

20 MS. PARGEON: Well, there's one on 99 that  
21 hasn't been functioning.

22 MS. LAND: Let me think here. I'm running  
23 through the scenarios here.

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MS. LAND: You send them a letter as zoning  
2 inspector saying it hasn't been functioning for the  
3 last 30 days. Yes, it has. It's been functioning at  
4 night. Haven't you seen it?

5 So we're going to have to have some means of  
6 proof. You know, we can send them and say, We believe  
7 it's not been functioning for the last 30, 60, 90  
8 days, whatever. You need to give us proof that it is.  
9 Proof of the output. You can put that in there.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: Okay.

12 MS. PARGEON: That would be good.

13 MS. LAND: Because I guarantee you, every  
14 one that you say isn't functioning will have been  
15 functioning at night when you weren't looking.

16 CHAIRPERSON TIMMERMAN: Right. So they  
17 would have to have proof.

18 That would -- the last two things are  
19 abandonment and decommissioning.

20 MS. LAND: Yeah. And I think we --

21 CHAIRPERSON TIMMERMAN: Is that kind of  
22 covered by that or -- well --

23 MS. LAND: No. I think you'd want to do the  
24 same kind of thing you did with the solar. Do you

1 want the three month?

2 MS. PARGEON: Yeah.

3 CHAIRPERSON TIMMERMAN: Yeah. Okay. And  
4 same kind of decommissioning with a bond.

5 MS. PARGEON: Uh-huh.

6 MS. LAND: And then a bond.

7 MR. EVANS: Are you saying that for  
8 Accessory or both?

9 MS. LAND: Did we put the bond in the  
10 Accessory?

11 CHAIRPERSON TIMMERMAN: We didn't do it on  
12 the Accessory.

13 MS. LAND: They still pose the same danger.

14 CHAIRPERSON TIMMERMAN: They do.

15 MS. PARGEON: Yeah.

16 CHAIRPERSON TIMMERMAN: Maybe it makes sense  
17 to do it on --

18 MS. LAND: You're going to get a lot more  
19 pushback for the Accessory one doing that.

20 MR. EVANS: Yeah.

21 SECRETARY STACY: Uh-huh. Can they be  
22 different?

23 MS. LAND: Sure. The thought process would  
24 be that Accessory is part of your residence. It's



1 just part of your yard, part of your functioning in  
2 your house. You know, the difference between a well  
3 or city water, or a cistern, or whatever you want to  
4 do. Where the Non-Accessory is, by definition, going  
5 to be a business operation and bigger.

6 CHAIRPERSON TIMMERMAN: Well, yes and no.  
7 Because we said if a business put up an accessory  
8 use --

9 MS. LAND: But that would still be their --  
10 to take care of part of their choices for how they are  
11 running their business versus it being the business.

12 CHAIRPERSON TIMMERMAN: Right.

13 MS. LAND: I mean, that's where I was kind  
14 of going with that.

15 CHAIRPERSON TIMMERMAN: We've said from the  
16 start that we wanted to be light on Residential and  
17 heavier on Industrial, so that would follow those --  
18 that train of thought.

19 SECRETARY STACY: Uh-huh.

20 CHAIRPERSON TIMMERMAN: So I think I  
21 probably would have a decommissioning plan for --

22 MS. LAND: The township trustees have --  
23 outside of zoning, they have the authority to remove  
24 nuisances and junk cars. There are two different

1 statutes. They have to go through a process of  
2 sending letters and, if they don't get it done, you  
3 know, they have to pass Resolutions, send letters.  
4 Another Resolution, another letter. And, then, they  
5 can go and they can remove it and put it on somebody's  
6 taxes.

7 So if you have one that is an Accessory Use  
8 in a Residential that you know is starting to be a  
9 hazard because it looks like it's all broken and  
10 stuff, they could use that nuisance statute outside of  
11 zoning to remove it, too.

12 CHAIRPERSON TIMMERMAN: What if we did this.

13 MS. LAND: There are some abilities to do  
14 that.

15 CHAIRPERSON TIMMERMAN: What if we put a  
16 decommissioning plan in there, but it doesn't include  
17 the bond? It sets an example of, Hey, here's what  
18 we're expecting you to do. If it stops functioning,  
19 we want you to take it down.

20 MS. PARGEON: Because then it turns into an  
21 eyesore.

22 CHAIRPERSON TIMMERMAN: Right. Within that  
23 three months or whatever.

24 SECRETARY STACY: Yeah.

1 CHAIRPERSON TIMMERMAN: So it can be the  
2 same thing; it just doesn't include the bond.

3 SECRETARY STACY: Correct.

4 MS. LAND: Okay. So this is all for  
5 Accessory that we've just been doing?

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. LAND: So the applicant has to give  
8 notice to surrounding property owners. A height  
9 maximum of 30 feet.

10 CHAIRPERSON TIMMERMAN: Uh-huh.

11 MS. LAND: The setback is two and a half  
12 times the height of the final system. The definition  
13 of height is --

14 CHAIRPERSON TIMMERMAN: To the tip.

15 MS. LAND: -- defined in there. Did that  
16 make sense that we would use that?

17 MR. EVANS: From the ground to the tallest  
18 point during operation. Okay.

19 MS. LAND: Okay. I want to put in the  
20 section from Solar about standards and local power and  
21 utility regulations and standards.

22 CHAIRPERSON TIMMERMAN: Yeah.

23 MS. LAND: And, then, the permitting thing,  
24 same thing as we have in Solar. We'll use that.

1 Sound, 40 to 45 decibels.

2 CHAIRPERSON TIMMERMAN: So 45 would probably  
3 be the rated.

4 MS. LAND: Probably. At the property line,  
5 right?

6 MS. PARGEON: Yes.

7 CHAIRPERSON TIMMERMAN: We wanted 40 at the  
8 property line.

9 MS. LAND: 40.

10 MS. PARGEON: Yeah.

11 MS. LAND: Okay. 40 decibels at the  
12 property line.

13 CHAIRPERSON TIMMERMAN: Can you make a note  
14 that because -- yeah -- which would be -- 45 would be  
15 like the -- I don't know what the term would be. Like  
16 the --

17 SECRETARY STACY: Threshold.

18 CHAIRPERSON TIMMERMAN: I'm saying like the  
19 published decibel level is what I would probably do.

20 SECRETARY STACY: To give it -- you're  
21 documenting where you're getting that information.

22 CHAIRPERSON TIMMERMAN: For the permit,  
23 like, the documentation about that wind turbine should  
24 say 45 or less.

1 MR. EVANS: I can see that. Let's say it  
2 says 45. The guy puts up it and it's 50, you're going  
3 to say, Okay. You have to send it back.

4 CHAIRPERSON TIMMERMAN: I know.

5 MR. EVANS: It's just what it is at the  
6 property line.

7 CHAIRPERSON TIMMERMAN: Okay. I'm okay with  
8 that.

9 MR. EVANS: But, no. I'm saying you're  
10 fine.

11 MS. LAND: Well, there is some problem with  
12 that process because we can't go onto the property at  
13 the point zero to test it unless the property owner  
14 permits us to be there because you have to have  
15 probable cause to believe that there's a violation of  
16 the statute to be able to go in because we are still  
17 public.

18 SECRETARY STACY: But we're only concerned  
19 with the property line, though.

20 MS. LAND: If we're only concerned at the  
21 property line, you stand on the neighbor's property  
22 line because they'll probably let you stand there.

23 CHAIRPERSON TIMMERMAN: If everyone is  
24 complaining, they would let you stand there. Okay.

1 Property line, 40.

2 MS. LAND: Okay. Lighting. FAA regs for  
3 lighting, whatever they require.

4 When they are nonfunctioning, we have to  
5 have -- I'm going to take out the 60 percent  
6 destroyed.

7 CHAIRPERSON TIMMERMAN: Because that will be  
8 covered. Is that what you're getting at?

9 MS. LAND: It's not a Nonconforming Use.  
10 They are permitted here.

11 CHAIRPERSON TIMMERMAN: Since this is an  
12 Accessory Use.

13 MS. LAND: Right. Nobody has one now around  
14 their house, do they, that will end up being a  
15 Nonconforming Use.

16 CHAIRPERSON TIMMERMAN: That will end up  
17 being Nonconforming? I don't think so.

18 MS. LAND: Okay. And, then, if it's  
19 apparently nonfunctional for a period of time. What?  
20 30, 60, 90 days?

21 MR. EVANS: Three months. What did you say?

22 CHAIRPERSON TIMMERMAN: 90 days. That would  
23 follow what we have with the other.

24 MS. LAND: You would require proof of

1 function.

2 CHAIRPERSON TIMMERMAN: There is one guy on  
3 215 that has a small one in his backyard. I don't  
4 know what the height is. I'm assuming it's probably  
5 45 feet.

6 MS. LAND: So that would be Nonconforming.  
7 Then we'll put the -- well, we won't need to  
8 put that in there because it would still just follow  
9 the Nonconforming rules.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. LAND: After it's abandoned, it has to  
12 be removed within three months. And they have to  
13 provide decommissioning plan, but no bond.

14 Is there anything else in there that you  
15 think needs to be addressed?

16 CHAIRPERSON TIMMERMAN: That is every note  
17 I had.

18 MR. EVANS: I don't know if at some point we  
19 have to -- I don't know if there's such a thing as  
20 storage for wind.

21 CHAIRPERSON TIMMERMAN: Battery storage?

22 MR. EVANS: Or any storage for energy.

23 CHAIRPERSON TIMMERMAN: This same Section 22  
24 out of here, we covered that.

1 MS. LAND: I think that -- yeah.

2 CHAIRPERSON TIMMERMAN: This is a generic.  
3 It covers all energy storage.

4 MS. LAND: Any kind of storage.

5 And, then, if we do end up some day being  
6 able to regulate or have to regulate thermal or any of  
7 those things, we already have the battery -- or the  
8 storage. Let's hope we don't have to deal with that.

9 CHAIRPERSON TIMMERMAN: Cindy, we are at  
10 7:13 right now. I think Non-Accessory would go rather  
11 quick because we've kind of set the groundwork. I'm  
12 leaving that up to you.

13 MS. LAND: I'm fine. If you -- let's go.

14 CHAIRPERSON TIMMERMAN: Does everybody  
15 agree?

16 MS. PARGEON: Let's go.

17 MS. LAND: Get it done.

18 CHAIRPERSON TIMMERMAN: Because, for me, a  
19 couple numbers change, but I would keep it pretty much  
20 the exact same as what you had.

21 MS. LAND: Okay.

22 CHAIRPERSON TIMMERMAN: The height would  
23 change to 60 because it would be in an I-2 district.  
24 I would increase the setbacks to



1 500 percent, but that's open for debate.

2 MR. EVANS: Five times?

3 CHAIRPERSON TIMMERMAN: That's the five  
4 times that we discussed from earlier.

5 My notes, I said the noise would be at  
6 60 decibels at the property line, but with that -- you  
7 know what? I'd probably keep the set -- I mean, you  
8 could have a louder noise rating, the 60 decibels, but  
9 because of the setbacks, you would be back down to the  
10 40 would be ideally at the property lines. Anybody  
11 have thoughts on that?

12 MR. EVANS: I think if we keep it 40,  
13 because I'm thinking why should you hear more noise  
14 because of --

15 MS. PARGEON: Yeah. Right.

16 CHAIRPERSON TIMMERMAN: Right. So keep it  
17 at 40.

18 My numbers were initially like what the unit  
19 should be rated at or whatever, and that's 60. But  
20 the further it's set back, you would still  
21 theoretically achieve maybe that 40. I think just  
22 sticking with the 40 at the property line.

23 SECRETARY STACY: One question that I have.  
24 If there's other activities taking place on that

1 property, how are you going to determine -- there  
2 could be other --

3 CHAIRPERSON TIMMERMAN: If they have more --

4 SECRETARY STACY: There's other things that  
5 we're not talking about.

6 CHAIRPERSON TIMMERMAN: You don't have a  
7 density thing on this at all yet.

8 SECRETARY STACY: I mean, it would be -- if  
9 there are multiple sources creating the sound, how  
10 could you determine --

11 CHAIRPERSON TIMMERMAN: Which one?

12 SECRETARY STACY: -- what the true value of  
13 one particular thing is?

14 MR. EVANS: But, like, if you're at your --  
15 and are we talking about residential property line?  
16 I mean --

17 CHAIRPERSON TIMMERMAN: This is at the  
18 property line.

19 MR. EVANS: Because I'm thinking, okay,  
20 we're going to be -- how many thousand feet are we  
21 going to be Residential from I-2?

22 MS. LAND: Residential could be right  
23 beside.

24 CHAIRPERSON TIMMERMAN: Theoretically, it

1 could be right nextdoor.

2 MR. EVANS: Right. We have that. Yeah.

3 CHAIRPERSON TIMMERMAN: I think --

4 MR. EVANS: If you had the decibel rating,  
5 and let's say it's 40, then, is it up to that whoever  
6 is generating the noise to get it below 40 decibels?

7 MS. LAND: Uh-huh.

8 MR. EVANS: Or --

9 MS. PARGEON: Let them slate their building  
10 then.

11 CHAIRPERSON TIMMERMAN: Is it cumulative?  
12 Is it additive?

13 MS. LAND: If you want to make it 40, it has  
14 to be 40. And, then --

15 CHAIRPERSON TIMMERMAN: It doesn't  
16 matter how --

17 MS. LAND: -- I think I would put the burden  
18 on them to adjust whatever they are doing to make sure  
19 that they don't blow more than 40 past the property  
20 line.

21 MS. PARGEON: Correct. Yes.

22 MS. LAND: Make sense?

23 CHAIRPERSON TIMMERMAN: So this is in the  
24 Wind district right now -- or Wind section. What if

1 the turbine is producing -- what if it's producing  
2 39 decibels, and there's something else going on on  
3 that property that's producing more to take it over  
4 the 40?

5 MR. EVANS: They have to lower it because  
6 it's a whole idea of the sound, right?

7 MS. LAND: Sound. Yeah.

8 MR. EVANS: So whatever they have to do to  
9 lower the sound.

10 MS. LAND: If they've got somethings else  
11 making that sound go over 40, and they have wind  
12 turbines, our issue is, if you have wind turbines, you  
13 can't blow past 40 on the --

14 CHAIRPERSON TIMMERMAN: Period.

15 MS. LAND: Yeah.

16 MS. PARGEON: Yeah. For anything. Yeah.

17 CHAIRPERSON TIMMERMAN: So it doesn't matter  
18 what it's coming from?

19 MS. LAND: Correct.

20 CHAIRPERSON TIMMERMAN: If you --

21 MS. LAND: What else would they have going  
22 on?

23 CHAIRPERSON TIMMERMAN: I have no idea.

24 MR. EVANS: Maybe there's a humming noise

1 from a storage facility or something like that.

2 CHAIRPERSON TIMMERMAN: Yeah. Maybe they  
3 have battery storage and there's a humming noise  
4 coming from it.

5 MS. LAND: Or it blows up.

6 MS. PARGEON: Yeah. Say Yea when it blows.

7 MS. LAND: When the hum gets louder, leave?

8 MR. EVANS: I'm just throwing things out  
9 there.

10 CHAIRPERSON TIMMERMAN: No, I like it. I  
11 think we need to be thorough with this.

12 SECRETARY STACY: I'm just trying to be a  
13 devil's advocate.

14 CHAIRPERSON TIMMERMAN: Yeah.

15 MS. LAND: And I see that point. But  
16 I think the burden has to go back on the property  
17 owner to come down to that final rule --

18 MS. PARGEON: Yes.

19 MS. LAND: -- which is the 40 at the  
20 property line.

21 MR. EVANS: And they can do whatever they  
22 want, as long as they get below 40.

23 MS. LAND: Right. Is that something you  
24 guys are all happy with?

1 MS. PARGEON: Yeah.

2 CHAIRPERSON TIMMERMAN: As long as you think  
3 it stands up to that.

4 MS. LAND: Yeah. All these are untested  
5 because it's brand new that you get to do this.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. PARGEON: Somebody's got to start  
8 somewhere with it.

9 MS. LAND: You know, I've been involved with  
10 a lot of things that are new legislation, and I kind  
11 of go by the theory, as long as you have a logical  
12 thought out reason for why you make your rule, then --  
13 and a paper trail behind it for why it is, then you're  
14 usually going to be okay because they're giving you  
15 this authority. And, then, you have a good solid  
16 reason for the way you're wielding the authority,  
17 they're going to be okay with it.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. LAND: Can never tell for sure. But  
20 that's why there are people like me. You can never  
21 tell for sure.

22 Okay. Density.

23 CHAIRPERSON TIMMERMAN: You keep the same as  
24 what we did with Solar, like, one per mile.

1 MR. EVANS: What did we have?

2 CHAIRPERSON TIMMERMAN: So for Solar, for  
3 Non-Accessory, so a solar farm, they had to be a mile  
4 apart.

5 MR. EVANS: Oh, gotcha.

6 CHAIRPERSON TIMMERMAN: So this would be the  
7 same kind of thing. This would be a wind farm.

8 MS. LAND: At lot line. Yeah. A mile apart  
9 at lot line.

10 MR. EVANS: I'm good with that.

11 CHAIRPERSON TIMMERMAN: You could put -- to  
12 argue that, we don't have a maximum number they can  
13 put on one property.

14 MS. LAND: Yet. You can do that. You can  
15 limit the amount that -- I mean, you limited the solar  
16 to 25 kilowatts. You can limit wind to how many  
17 megawatts or kilowatts can be produced on a  
18 Non-Accessory installation.

19 CHAIRPERSON TIMMERMAN: I'd have to come up  
20 with a -- I'd have to do research to come up with a  
21 number of what kind of power those put out.

22 MS. LAND: 5 kilowatts is the max -- or  
23 megawatts is the max.

24 CHAIRPERSON TIMMERMAN: Megawatts is the

1 max. Right.

2 MS. LAND: So you've got to decide, you  
3 know, what you want to have as your limitation. And  
4 I think you should put some limitation on it to be  
5 able to have some control.

6 MR. EVANS: I kind of wonder, is there --  
7 I wonder if there's an industry standard to where --

8 MS. LAND: 5 megawatts is the max.

9 MR. EVANS: If you have a 60-foot-high  
10 turbine, is there an industry standard that says --

11 CHAIRPERSON TIMMERMAN: That's what  
12 I'm Googling right now, but the internet is terrible  
13 in here.

14 MS. LAND: I can't get my phone to  
15 do anything.

16 MR. EVANS: That's something we better  
17 check. Because if they're 60 feet high, you could  
18 have a lot more. But, like I say, you don't want --  
19 it can't be 10 feet apart because --

20 CHAIRPERSON TIMMERMAN: Right.

21 MS. PARGEON: The blades might clash.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. LAND: They also suck each other's air  
24 and cause problems.



1 MR. EVANS: Right. That's why I wondered if  
2 there's some kind of industry standard and if they had  
3 to go by the industry standard.

4 CHAIRPERSON TIMMERMAN: So even if we had an  
5 industry standard of what a 60-foot turbine would  
6 produce, how many would you want on one lot of land?

7 MR. EVANS: Right. That's the question.

8 CHAIRPERSON TIMMERMAN: Well, density is --  
9 you know, with the way we did it last time, it would  
10 be, like, from that one solar farm to the next has to  
11 be one mile away.

12 MS. LAND: The question is how big are each  
13 of these solar farms?

14 CHAIRPERSON TIMMERMAN: If he can put -- if  
15 anybody could put 10, you know -- thousands of them on  
16 one piece of property --

17 MS. PARGEON: How many.

18 CHAIRPERSON TIMMERMAN: Then the next wind  
19 farm would have to be one mile away. So we need to  
20 determine how many can be in one wind farm.

21 MR. EVANS: Right. You have them to where  
22 they are 250 feet apart or something like that.

23 CHAIRPERSON TIMMERMAN: I don't know what  
24 they would require to be apart. It would be nice to

1 just kind of do it as a -- a wattage at which point it  
2 comes down to how many would you allow somebody to  
3 have.

4 Kind of going back to your -- I think where  
5 you're going with this is if each one took up a  
6 certain footprint, would we just allow a half of an  
7 acre again, kind of like what we did with the solar?  
8 And, then, your next one would have to be a mile away  
9 before you could do it again.

10 MS. PARGEON: Depends how tall and how far  
11 this thing is going to fall down.

12 CHAIRPERSON TIMMERMAN: Well, it can only be  
13 60 feet tall. That's what we've decided.

14 SECRETARY STACY: We've already determined  
15 height.

16 MS. LAND: And we have a setback of  
17 300 feet.

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. PARGEON: That's good.

20 MS. LAND: So the setbacks are pretty well  
21 insulated.

22 MS. PARGEON: One per property is enough.

23 MS. LAND: Well, that --

24 MR. EVANS: But we're talking --

1 MS. PARGEON: I know. Yeah.

2 CHAIRPERSON TIMMERMAN: I think --

3 MS. LAND: Those really big ones generate  
4 about 1.5 --

5 CHAIRPERSON TIMMERMAN: 1.5 megawatts.

6 MS. LAND: -- megawatts. So how -- here's  
7 the question. The bigger they are, the more they  
8 produce? I don't know how it works.

9 CHAIRPERSON TIMMERMAN: I would assume.

10 FROM THE FLOOR: That's not necessarily the  
11 case. But from everything I'm seeing, a 60-foot one,  
12 you're going to be looking at around 10 kilowatts.

13 CHAIRPERSON TIMMERMAN: So 10 kilowatts.

14 Okay. So if we limit it to -- what did we put --  
15 I don't remember -- for the kilowatts for Solar?

16 MS. LAND: 25.

17 CHAIRPERSON TIMMERMAN: 25. So we could put  
18 the same kind of kilowatt rating on this?

19 MS. LAND: But the Solar and the Wind  
20 have -- one is 5 and one is 50 for megawatts. So  
21 they -- it's clearly a big difference there.

22 CHAIRPERSON TIMMERMAN: Why is that?

23 MS. LAND: I don't know, but that's huge.  
24 That's huge. That's ten times.

1 MS. PARGEON: One uses chemicals.

2 CHAIRPERSON TIMMERMAN: The part that  
3 doesn't make sense to me is the one that produces,  
4 I would assume more efficiently -- like, space-wise  
5 more efficiently is the wind turbine.

6 MS. LAND: Correct.

7 CHAIRPERSON TIMMERMAN: You know, versus how  
8 many acres does solar take up, and, then, allow them  
9 to go to up 50 megawatts. I don't understand that at  
10 all.

11 MR. EVANS: Here's what I'm looking up,  
12 though. Let's say you allow a half acre. A half acre  
13 is roughly 22,000 square feet. 22,000 square feet is  
14 about 150 feet square.

15 CHAIRPERSON TIMMERMAN: Right.

16 MR. EVANS: So what's the setback from that  
17 150? You see what I'm saying?

18 CHAIRPERSON TIMMERMAN: The setback from  
19 turbine to turbine?

20 MR. EVANS: No. Just the setback of what  
21 they can put up.

22 CHAIRPERSON TIMMERMAN: Five times the  
23 height.

24 MR. EVANS: That would be 300 feet. That

1 means you couldn't have one on a 150 by 150 lot.

2 MS. PARGEON: Yeah. Right. So there's the  
3 limit right there.

4 MS. LAND: That's the calculations you have  
5 to do.

6 MS. PARGEON: Yeah. Right.

7 MR. EVANS: Right. And that's -- a half  
8 acre is not very big. So it's 150 by 150, so the --  
9 I don't think you would have one on there.

10 CHAIRPERSON TIMMERMAN: You couldn't have  
11 any. Yeah, you wouldn't be able to. You would have  
12 to be -- yeah, you'd have to be --

13 MR. EVANS: All of a sudden density isn't  
14 the question.

15 CHAIRPERSON TIMMERMAN: It still is, though,  
16 because if you don't have -- if somebody's got  
17 80 acres inside of I-2, and you don't put a limit on  
18 how much wattage they can produce, they can fill that  
19 whole thing. You have to put a limit on the wattage  
20 if you want to regulate it. And, then, you have to --  
21 do you want to discuss density at that point and say  
22 how close each wind farm could be.

23 MS. LAND: With Solar, you wanted to  
24 regulate them on the amount of property that they were

1 gobbling up.

2 CHAIRPERSON TIMMERMAN: Right.

3 MS. LAND: With Wind, it's probably going to  
4 be a better thing to regulate on the amount of  
5 kilowatts that they can produce because they take a  
6 smaller footprint.

7 SECRETARY STACY: Uh-huh.

8 MS. LAND: Make sense?

9 CHAIRPERSON TIMMERMAN: Right.

10 MS. LAND: And there's no reason you can't  
11 measure them both differently.

12 CHAIRPERSON TIMMERMAN: Both differently  
13 meaning different wattage?

14 MS. LAND: One way one; one the other way.

15 MR. EVANS: Square footage.

16 CHAIRPERSON TIMMERMAN: Gotcha.

17 MS. LAND: But we still have a wattage limit  
18 on the Solar. We just backed into it from a different  
19 direction based on the size that we wanted to limit it  
20 to.

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: I'm not sure we can figure out a  
23 size, though, for Wind based on the wattage. We're  
24 probably going to have just to make it wattage and not

1 size.

2 CHAIRPERSON TIMMERMAN: I think so.

3 MS. LAND: I have no idea.

4 CHAIRPERSON TIMMERMAN: You said one  
5 60-footer was 10 kilowatts?

6 FROM THE FLOOR: That's what I'm seeing for  
7 an average. Yeah.

8 But, also, for what it's worth, a lot of  
9 what comes up for that says a 60-foot residential  
10 turbine is an average of 10 kilowatts. So they are  
11 assuming that that's a residential.

12 CHAIRPERSON TIMMERMAN: Sure.

13 MS. PARGEON: And it would be just one.

14 CHAIRPERSON TIMMERMAN: Yeah. You could.  
15 I mean, any thoughts?

16 MR. EVANS: I don't know. I think it's hard  
17 for me to wrap around the kilowatts in how many  
18 kilowatts per square foot almost, or --

19 CHAIRPERSON TIMMERMAN: Kilowatts per square  
20 foot, if it's 60-foot tall, you have to have a  
21 300-foot radius.

22 MS. LAND: Well, not necessarily. Setbacks.

23 CHAIRPERSON TIMMERMAN: Setback.

24 MS. LAND: You have to have a space with a

1 300-foot rim and, then, however many you can fit in  
2 what's left in there. So instead of trying to figure  
3 out what size you want to them put them on, figure out  
4 how many you want in a clump.

5 CHAIRPERSON TIMMERMAN: Yeah. So how  
6 many --

7 MR. EVANS: Distance from each other. Is  
8 that what you're saying?

9 CHAIRPERSON TIMMERMAN: No.

10 MS. LAND: No. That you don't want a  
11 property that has more than ten or more than five.  
12 And, then, you pick that number for your maximum  
13 kilowatt output.

14 Like, if you don't want them to have more  
15 than five, say, you know, a Non-Accessory Use cannot  
16 produce more than 50 kilowatts. Then you know that  
17 there's not going to be more than five 60-foot  
18 turbines.

19 And I don't know really how else to be able  
20 to -- for us to be able to identify something. And,  
21 then, if they want to spread it out over 80 acres --

22 SECRETARY STACY: Right. That's true.

23 CHAIRPERSON TIMMERMAN: That's up to them --

24 MS. LAND: Right.



1 CHAIRPERSON TIMMERMAN: -- at that point.

2 SECRETARY STACY: That makes sense.

3 MR. EVANS: And, then, it's just the noise  
4 and the other things that go with that.

5 CHAIRPERSON TIMMERMAN: I mean, what --

6 MS. LAND: You still have that 300-foot  
7 setback and, then, it's the property line 40 decibels.

8 SECRETARY STACY: I think that makes sense.

9 CHAIRPERSON TIMMERMAN: There is -- of the  
10 current turbines that are out there, and I know  
11 they're a lot bigger, but there's ten of them.  
12 Depending upon where your house is at, does ten look  
13 like a lot?

14 MS. PARGEON: Yes.

15 FROM THE FLOOR: Yes.

16 SECRETARY STACY: Yeah.

17 CHAIRPERSON TIMMERMAN: So based upon what  
18 I just heard there, I would choose a number less than  
19 ten. Would five be a reasonable number?

20 MS. PARGEON: Three is a reasonable number.

21 MR. EVANS: And you've got to remember these  
22 are 60-foot.

23 CHAIRPERSON TIMMERMAN: They are 60-foot.

24 But if it's -- if you happen to be the property that's

1 right next to the I-2 District, your house is still  
2 right there, and it would potentially be 300 feet  
3 away. Am I right in that? That would be the setback.

4 MS. LAND: 300, plus your setback for your  
5 house.

6 CHAIRPERSON TIMMERMAN: Right.

7 MS. LAND: So 340.

8 CHAIRPERSON TIMMERMAN: So yes, they're  
9 smaller, but you could still be 300 feet away. Do you  
10 want five? Or three?

11 MS. PARGEON: One wouldn't be so bad.

12 CHAIRPERSON TIMMERMAN: I see a three. She  
13 said three.

14 MR. EVANS: I'll go along. Yeah, three.

15 CHAIRPERSON TIMMERMAN: I'm good with three.

16 MS. LAND: Okay.

17 MR. EVANS: So what are you saying? Three?

18 CHAIRPERSON TIMMERMAN: 30 kilowatts then.

19 MR. EVANS: 30 kilowatts for what?

20 CHAIRPERSON TIMMERMAN: So three turbines,  
21 each one would be 10 kilowatts, based upon what we  
22 found. So, at that point, you'd be limiting each  
23 Non-Accessory Use to have a maximum kilowatts of  
24 30. And, then, you would choose a density of one

1 Non-Accessory Use. They would have to be -- they  
2 would have to be one mile apart or whatever.

3 MS. LAND: Yeah.

4 MR. EVANS: Okay. So Company A has three of  
5 them on this lot.

6 CHAIRPERSON TIMMERMAN: And one mile away.

7 MR. EVANS: Any other --

8 CHAIRPERSON TIMMERMAN: Company B or  
9 Company A.

10 MR. EVANS: Right.

11 CHAIRPERSON TIMMERMAN: Somebody -- but it  
12 would have to be a mile away.

13 MS. LAND: And they could have three more.

14 CHAIRPERSON TIMMERMAN: You could have three  
15 more.

16 MR. EVANS: So you can't have more than --

17 CHAIRPERSON TIMMERMAN: But it still has to  
18 be in I-2.

19 MS. LAND: Still has to be in I-2.

20 MR. EVANS: Right. They can't have more  
21 than 30 kilowatts per --

22 CHAIRPERSON TIMMERMAN: Per site.

23 MR. EVANS: -- group?

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MR. EVANS: Whether that's 10 acres or  
2 20 acres. That makes sense.

3 CHAIRPERSON TIMMERMAN: Yeah. Everybody  
4 okay with that?

5 MS. PARGEON: Yeah.

6 MS. LAND: That's a good one.

7 CHAIRPERSON TIMMERMAN: And one mile again?

8 MS. PARGEON: Yeah.

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. LAND: We have to have height, district,  
11 setback, noise, density, maximum output. What else  
12 was there?

13 CHAIRPERSON TIMMERMAN: I think that's  
14 approaching the end of --

15 MS. LAND: What about the decommissioning  
16 bond?

17 CHAIRPERSON TIMMERMAN: The bond.

18 SECRETARY STACY: Uh-huh.

19 MS. PARGEON: Definitely.

20 MS. LAND: The nonfunctional language.

21 MS. PARGEON: Return back to -- soil back to  
22 what it was before it was put up.

23 MS. LAND: We can't ask --

24 MS. PARGEON: Can't do that?

1 MS. LAND: -- them to do that on their  
2 property.

3 Nonfunctional for 30 days, is what that we  
4 had the last time, or was that 90?

5 SECRETARY STACY: I think it was 30.

6 CHAIRPERSON TIMMERMAN: 90 days is what we  
7 said before.

8 SECRETARY STACY: Was it 90? Okay.

9 MR. EVANS: What's the definition of that?  
10 So for 90 days straight, it doesn't --

11 CHAIRPERSON TIMMERMAN: If he's not -- if  
12 they're not producing power for --

13 MS. LAND: If they're apparently  
14 nonfunctional. So if you see them not turning for  
15 90 days, then we would have to go to them and ask them  
16 for proof that they have been producing output. They  
17 have to have some records that the thing is producing  
18 something, right?

19 MR. EVANS: So if you have a group of three,  
20 and one doesn't --

21 CHAIRPERSON TIMMERMAN: They would have  
22 to --

23 MR. EVANS: -- but the other two are  
24 producing electricity, what are you saying?

1 MS. PARGEON: Then you minus the one that  
2 isn't and keep the other two.

3 MR. EVANS: I mean, they're still producing  
4 electricity. I just didn't know --

5 MS. LAND: I think --

6 CHAIRPERSON TIMMERMAN: They've got to be  
7 regulating each one of them, I would assume.

8 MS. LAND: Yeah. They have would to have.

9 CHAIRPERSON TIMMERMAN: So you'd have to  
10 prove that.

11 MS. LAND: Because we don't want one  
12 standing there turning to rust while two more are  
13 functioning. I think it's any single one. Are you  
14 okay with that?

15 MS. PARGEON: Yes.

16 CHAIRPERSON TIMMERMAN: I agree. I agree.

17 MS. LAND: Okay. Fence. Fence. Screening.

18 CHAIRPERSON TIMMERMAN: Visually it doesn't  
19 change anything. It's 60-feet tall.

20 MS. LAND: They're not going to get a  
21 60-foot fence.

22 SECRETARY STACY: No.

23 CHAIRPERSON TIMMERMAN: So, visually, it  
24 doesn't change anything. Is there any reason to do it

1 for security, like, safety reasons?

2 MR. EVANS: Is that more on their --

3 MS. PARGEON: That's on them.

4 MS. LAND: That's why you want 300-foot  
5 setback. I don't think --

6 SECRETARY STACY: That's their  
7 responsibility.

8 MS. PARGEON: Yeah.

9 VICE CHAIRPERSON REHUS: I don't think you  
10 need it.

11 SECRETARY STACY: If they want it, I  
12 don't --

13 MS. LAND: I don't know that there are any  
14 problems with animal issues around a wind farm or a  
15 wind facility.

16 CHAIRPERSON TIMMERMAN: Come on. We all  
17 hear about the birds flying into them.

18 MS. LAND: We're not going to be able to  
19 build fences to stop the birds.

20 SECRETARY STACY: You're not going to be  
21 able to prevent the birds.

22 MS. LAND: The birds fly into solar ones,  
23 too, a lot.

24 MR. EVANS: Not even with signs?

1 CHAIRPERSON TIMMERMAN: Really?

2 MS. LAND: Something about them.

3 CHAIRPERSON TIMMERMAN: They think it's a  
4 pond.

5 MS. LAND: They just dive into them.

6 CHAIRPERSON TIMMERMAN: All right.

7 MS. PARGEON: They see their reflection so  
8 they go --

9 FROM THE FLOOR: What about curious  
10 teenagers?

11 MS. LAND: Well, they're trespassing.

12 FROM THE FLOOR: I know. But if they still  
13 get hurt, I mean, that's just --

14 MS. PARGEON: Well, got to have signs up  
15 saying "No Trespassing."

16 CHAIRPERSON TIMMERMAN: Okay. To Zoe's  
17 point, if you have to put a fence around a pool  
18 because it's going to come up against you, the curious  
19 teenager could get hurt, and it would still --

20 MS. LAND: But what about your backyard one?  
21 Are we going to require them to fence their backyard  
22 if they have a wind turbine?

23 MS. PARGEON: They'll have to put a lock on  
24 the door that they -- if it's one they climb inside to



1 take care of.

2 FROM THE FLOOR: And vandalism  
3 (unintelligible).

4 MS. PARGEON: Yeah. They'd have to put up  
5 "No Trespassing" signs because, then, they would be  
6 covered if they're the ones that own the wind turbine.  
7 They're not covered anymore?

8 CHAIRPERSON TIMMERMAN: Says the lawyer.

9 MS. LAND: No.

10 MS. PARGEON: Okay. Good.

11 CHAIRPERSON TIMMERMAN: You wasted your  
12 money on that sign.

13 MS. LAND: Attractive nuisance.

14 SECRETARY STACY: Yeah.

15 MS. LAND: That's why you don't want a big  
16 pile of dirt beside your house after you build it  
17 because kids climb up on it and break their arms.

18 CHAIRPERSON TIMMERMAN: Yeah. Deb's  
19 thinking.

20 MS. PARGEON: Put a fence around the base of  
21 it.

22 MS. LAND: In the Solar, we had a category  
23 of Distance from Residential Uses.

24 MS. PARGEON: Uh-huh.

1 MS. LAND: 1,000 feet from a residential  
2 use.

3 MS. PARGEON: Uh-huh.

4 CHAIRPERSON TIMMERMAN: Sure.

5 MS. LAND: Do you want to add that in  
6 with --

7 MS. PARGEON: Yeah.

8 CHAIRPERSON TIMMERMAN: I think everybody  
9 would appreciate that.

10 MS. PARGEON: Yes.

11 CHAIRPERSON TIMMERMAN: All right. Let's go  
12 here real quick. A solar field is only 10 feet tall.  
13 At 1,000-foot away, that looks like not much. If a  
14 wind turbine is 60 feet away at 1,000 feet, that looks  
15 much bigger still. Should it be more than 1,000 feet  
16 based on the height? I think it should.

17 MS. PARGEON: Yeah.

18 MS. LAND: I don't think the distance that  
19 you're trying to -- I mean, the reasoning is based on  
20 being able to see it.

21 CHAIRPERSON TIMMERMAN: Uh-huh.

22 MS. LAND: You're not going to be able to see  
23 it from outside Allen Township. I don't think you're  
24 going to be able to find a distance that doesn't seem

1 to be a penalty thing and to be able to accomplish  
2 what you're looking for.

3 But 1,000 feet is a good distance enough to  
4 make sure that you don't get wind -- or light flicker.  
5 If there is some sort of hum that can be heard, it  
6 wouldn't be heard. You know, maybe you want to go a  
7 little more, but you don't want to go too far.

8 CHAIRPERSON TIMMERMAN: Okay.

9 SECRETARY STACY: I think what she said  
10 makes sense.

11 CHAIRPERSON TIMMERMAN: Okay, lawyer. If  
12 you can go a little bit further, but not too far,  
13 what's your definition in that?

14 MS. LAND: I'm not going to tell you.  
15 I don't have one. But I don't think you can set a far  
16 enough setback that they won't be able to be visually  
17 an issue.

18 CHAIRPERSON TIMMERMAN: I think that's a  
19 fair statement.

20 MS. PARGEON: Well, you can see the ones  
21 that go on 613, at the railroad track, right before  
22 you go into Fostoria, you can see the ones at  
23 Whirlpool.

24 MS. LAND: Yeah. But those will be three

1 times as tall.

2 MS. PARGEON: Yeah.

3 MS. LAND: How tall are they?

4 CHAIRPERSON TIMMERMAN: 400 feet.

5 MS. LAND: Oh, they're even more than three  
6 times.

7 CHAIRPERSON TIMMERMAN: So anybody have a  
8 number? Do you stick with 1,000? Do you go --

9 MR. EVANS: Or just go 1,250. That's, like,  
10 a compromise.

11 CHAIRPERSON TIMMERMAN: I'm good with 1,250,  
12 Dave.

13 MS. PARGEON: All agree, say Aye. "Aye."

14 CHAIRPERSON TIMMERMAN: 1,250 it is.

15 SECRETARY STACY: So that's in reference  
16 to --

17 CHAIRPERSON TIMMERMAN: Distance from  
18 residential.

19 MS. LAND: Residential.

20 MR. EVANS: Residential, R-1.

21 CHAIRPERSON TIMMERMAN: Residential use, not  
22 R-1.

23 MR. EVANS: Oh, okay.

24 CHAIRPERSON TIMMERMAN: So A house.

1 MS. PARGEON: Residential use. Yes.

2 MS. LAND: Okay. Also I-2 is the district,  
3 correct?

4 CHAIRPERSON TIMMERMAN: Yeah.

5 SECRETARY STACY: Yes.

6 MS. LAND: So I've got 60 feet. I-2.

7 Setback five times the height of the --

8 MR. EVANS: Turbine.

9 MS. LAND: Noise, property line,  
10 40 decibels. Density, one mile apart at the lot line.  
11 Maximum output would be 30 kilowatts. Decommission,  
12 require a bond. Got to work on that to figure out how  
13 much bond we're asking them to give us. And when they  
14 are apparently nonfunctional for 90 days, they have to  
15 provide proof of output?

16 CHAIRPERSON TIMMERMAN: Uh-huh.

17 MS. LAND: And the distance from residential  
18 use is 1,250.

19 I'm also going to add in here the stuff  
20 that's in the Solar about standards -- the utility  
21 standards and permits that are necessary. Any of the  
22 generic things I'll incorporate into Wind like we have  
23 in Solar, so they mirror each other.

24 CHAIRPERSON TIMMERMAN: Absolutely.

1 MS. LAND: Is there anything else that you  
2 want to -- next time, we're going to work on Adult  
3 Entertainment.

4 MS. PARGEON: Whoopie.

5 MS. LAND: Well, you guys have a Lion's Den.  
6 You don't want to have any more of that stuff going  
7 on.

8 CHAIRPERSON TIMMERMAN: Is that an easy  
9 enough topic?

10 MS. LAND: Yeah.

11 CHAIRPERSON TIMMERMAN: Okay. I was going  
12 to say.

13 MS. LAND: It's already been adopted by the  
14 trustees. You just want to incorporate it into zoning  
15 as well.

16 SECRETARY STACY: Sure.

17 CHAIRPERSON TIMMERMAN: Yeah. Okay.

18 MS. LAND: And, that, you can say you can't  
19 have it anywhere.

20 SECRETARY STACY: Right.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MR. EVANS: Probably a short meeting.

23 CHAIRPERSON TIMMERMAN: Don't say that.

24 MS. LAND: There are some things you may

1 want to add that -- this was done probably 15 years  
2 ago and things change. There's stuff we didn't even  
3 think about that they're doing now, and we want to  
4 make sure it's still listed as something that we  
5 consider adult entertainment. This one should be fun.

6 CHAIRPERSON TIMMERMAN: How much time will  
7 that take up? Like what else --

8 MS. LAND: Not much.

9 CHAIRPERSON TIMMERMAN: Okay. So what else  
10 are we going to cover next time?

11 MS. LAND: Let me look here.

12 CHAIRPERSON TIMMERMAN: Are we going back  
13 into the book at that point?

14 MS. LAND: I think we are. Yeah, we are.

15 General Exceptions is where we are now. No,  
16 we're not.

17 CHAIRPERSON TIMMERMAN: That's what -- we  
18 just did General Provisions.

19 MS. LAND: We haven't done all the General  
20 Provisions, have we?

21 CHAIRPERSON TIMMERMAN: Yeah.

22 MS. LAND: Yeah, we have.

23 CHAIRPERSON TIMMERMAN: Yeah. So we'll be  
24 starting General Exceptions.

1 MS. LAND: Have we decided on artificial  
2 ponds and lakes? We want to take what Liberty  
3 Township had, or do we want to do something different?  
4 No, I'm sorry. Washington Township just did. That --  
5 I handed -- I'll bring that.

6 CHAIRPERSON TIMMERMAN: Bring that.

7 MS. LAND: I think I already went through  
8 those. I handed it out, realized I did not, but I  
9 still have it. I'll get that put together for you  
10 guys to look at next time. And, then, you'll go  
11 through General exceptions.

12 CHAIRPERSON TIMMERMAN: Which wasn't really  
13 much. Just a couple pages.

14 MS. LAND: Right. Administration and  
15 Enforcement won't take long. We might be able to get  
16 through the rest of it at the next meeting.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: On the first pass.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MS. LAND: Today, I worked for most of the  
21 afternoon and got the final cleaned-up edit done for  
22 all the notes that we've taken, the things we've taken  
23 out, the things we put it in. I found a few things  
24 that we never came to any conclusion on. So



1 I'll print those out -- not at this meeting, but the  
2 next meeting. I'll bring those with the colors on  
3 them and we can zip through the whole book again. You  
4 are getting pretty close to having something that you  
5 want to -- between doing that, and, then, we'll do the  
6 maps at that next meeting. Not this coming one. The  
7 next one.

8 MR. EVANS: That will be good.

9 MS. LAND: Good?

10 CHAIRPERSON TIMMERMAN: That will be  
11 Tuesday -- or yeah. Not the maps at the next one. I  
12 understand that, but...

13 MS. LAND: Monday will be the maps.  
14 Thursday -- or Monday will be the rest of the book.  
15 Thursday will be the maps.

16 SECRETARY STACY: Gotcha.

17 CHAIRPERSON TIMMERMAN: Maps. Okay.  
18 Quick second to ask questions. Everybody  
19 good with that?

20 Anybody got --

21 FROM THE FLOOR: So, really, just to kind of  
22 circle back between -- for Accessory Use between Solar  
23 and Wind, should we consider staying consistent with  
24 having a -- with having a limit as to what the

1 kilowatts could be?

2           And what I mean by that is, one of the  
3 things, you know, that was said with Wind as well, you  
4 know, we're really concerned more about the height, so  
5 we're not going to put a kilowatt usage on there.  
6 But, then, over on the Solar side, you know, what are  
7 we concerned about is the amount of space it's going  
8 to take up. Right? The usage there. But we still  
9 put a kilowatt usage on it there.

10           SECRETARY STACY: We did put --

11           FROM THE FLOOR: Correct. We did, for  
12 Solar.

13           MS. LAND: We did for Wind, too.

14           FROM THE FLOOR: Oh, we did for Wind? For  
15 Accessories?

16           CHAIRPERSON TIMMERMAN: For Accessory Use we  
17 did not.

18           FROM THE FLOOR: Right. But we put it there  
19 for Solar Accessory Use, but we didn't for Wind. I'm  
20 just saying, is that like an inconsistency problem  
21 that we --

22           MS. LAND: It's not an inconsistency problem  
23 from a legal standpoint. But if it's something that  
24 you would like to have more symmetrical, you can do

1 that. If it's symmetry, then you can give definitely  
2 look at that.

3 The question is how did you determine what  
4 that is? I mean, if -- how much does a 30-foot tall  
5 output? Nobody is going to want to put two or three  
6 on their Accessory Use property for Residential. But  
7 a business might.

8 CHAIRPERSON TIMMERMAN: So then --

9 SECRETARY STACY: So what is a 30-kilowatt,  
10 that's for --

11 MS. LAND: 30 kilowatt that we picked is  
12 three 60-foot turbines. But a 30-foot may -- doesn't  
13 necessarily only put out half as much.

14 CHAIRPERSON TIMMERMAN: Right.

15 MS. LAND: Which would be an awesome way to  
16 figure this. But, of course, it doesn't work that  
17 way.

18 FROM THE FLOOR: I mean, if we are looking  
19 at a limitation, it could be similar to what we made  
20 it for Solar because the idea is for -- that it's for  
21 a residential use, which I wouldn't --

22 MS. LAND: It's not necessarily a  
23 Residential Use.

24 FROM THE FLOOR: You're right. It could be

1 for a --

2 MS. LAND: It's an Accessory Uses. And  
3 I think he's making a good point that we hadn't  
4 thought about. If it's an Accessory Use to a company  
5 or a business, they might want to put in up to  
6 5 megawatts' worth of 30 --

7 CHAIRPERSON TIMMERMAN: That's a good point.

8 MS. LAND: -- and that would be an entire  
9 field. You don't necessarily want that.

10 CHAIRPERSON TIMMERMAN: So probably keep it  
11 like the 30? I'm sorry. The 30 kilowatts, then,  
12 which would match what --

13 MS. LAND: We have for Non-Accessory --

14 FROM THE FLOOR: I thought for -- oh, for  
15 Non-Accessory. Okay. Yeah. That's what that --

16 MS. LAND: For Accessory, we have 30.

17 CHAIRPERSON TIMMERMAN: For Accessory, we  
18 have 30.

19 MS. LAND: Do you want to make Non-Accessory  
20 30 max as well?

21 CHAIRPERSON TIMMERMAN: Would you make that  
22 30 as well, or would you make it match what we did for  
23 Solar which was 15?

24 FROM THE FLOOR: Right. And I also wanted

1 to circle back to that, too, but we can in a minute  
2 because I have a question on that.

3 CHAIRPERSON TIMMERMAN: I'm not against  
4 the 15. I mean, it would be trying to stay consistent  
5 from Solar to Wind, at which point, would you make the  
6 Non-Accessory match also on wind and Solar?

7 FROM THE FLOOR: Well, it may be a perfectly  
8 good time to bring it up if we are going to match it.

9 MS. LAND: It's 25. And they're 10 for the  
10 turbines. So want to make the Solar 30?

11 CHAIRPERSON TIMMERMAN: Make the Solar 30,  
12 and, then, they match -- Wind and Solar match for  
13 Accessory and Non-Accessory. Does that make sense to  
14 everybody?

15 FROM THE FLOOR: So you'd be changing Solar  
16 to be 30 for Accessory?

17 CHAIRPERSON TIMMERMAN: No, it would stay.

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: No, for --

20 MS. LAND: 15.

21 CHAIRPERSON TIMMERMAN: 15 for Accessory;  
22 30 for Non-Accessory.

23 FROM THE FLOOR: Right. And I just want to  
24 point this out. When it comes to the solar side of

1 things, we had put the 1,000 square foot in there.  
2 The theoretical, approximately, of what that would  
3 do -- calculate out to would be about -- it would be  
4 about 26 kilowatts, if it was just full solar panel.

5 MS. LAND: What 1,000 square feet?

6 CHAIRPERSON TIMMERMAN: We did have a --  
7 for -- sorry. It takes me a second to think about it.  
8 For Accessory Use of Solar, we put a 1,000 square foot  
9 limit, I think.

10 MR. EVANS: Right. Yeah. 1,000 square  
11 foot.

12 FROM THE FLOOR: Yes.

13 MS. LAND: I don't have that written down.

14 MR. EVANS: That's already written in there.  
15 It's already in there.

16 MS. LAND: Oh.

17 CHAIRPERSON TIMMERMAN: Instead of the half  
18 acre. It said a half of an acre --

19 MS. LAND: Okay.

20 CHAIRPERSON TIMMERMAN: -- and we changed it  
21 to 1,000 square feet.

22 FROM THE FLOOR: And just to kind of give an  
23 idea. I know the number you were talking about  
24 earlier with the 10 kilowatts --

1 CHAIRPERSON TIMMERMAN: That's the thermal  
2 thing, right?

3 MS. LAND: Yeah.

4 FROM THE FLOOR: -- that's the thing that  
5 the kilowatt was based off of a house use. But, then,  
6 also, what about other uses? Like, let's say they  
7 want to run the electric out to a shed? Let's say  
8 they have an electric car, maybe even two electric  
9 cars, which an electric car requires about -- you're  
10 going to be looking at maybe it's 7 kilowatts to  
11 charge one of those.

12 And, so, would it be better to bring that  
13 kilowatt usage up to around what the 1,000-foot would  
14 be able to fully provide at 25 kilowatts?

15 CHAIRPERSON TIMMERMAN: So you're saying --  
16 you're throwing out the idea of bringing the accessory  
17 use up to 25 kilowatts?

18 FROM THE FLOOR: Correct. Because if --  
19 let's just say, hypothetically, someone's got an  
20 electric car for themselves and their wife, so they  
21 have two of those, that's going to be 14 of those  
22 kilowatts. Their house is going to be another 10, and  
23 already they're at the 24 limit.

24 MR. EVANS: Which, hopefully, if they have

1 two electric cars, they're not -- they don't have to  
2 charge them every night.

3 FROM THE FLOOR: Right.

4 MR. EVANS: That means they're driving a  
5 couple hundred miles a day.

6 FROM THE FLOOR: Right.

7 MR. EVANS: I mean, if they could  
8 alternate -- and I'm just going through a scenario.  
9 If one charges tonight, the other one charges the next  
10 night.

11 FROM THE FLOOR: Right.

12 MR. EVANS: Unless they are each driving  
13 300 miles a day.

14 FROM THE FLOOR: Right. I'm just throwing  
15 out, like, maximum scenarios here. Maybe they have  
16 a -- I don't know, a heated pool or something, too.  
17 Like, you know, just things that could eat up  
18 electricity basically.

19 CHAIRPERSON TIMMERMAN: Sure. What's up,  
20 Zoe?

21 FROM THE FLOOR: Decommissioning prices.  
22 Turbines, about \$500 a head.

23 CHAIRPERSON TIMMERMAN: For a turbine?

24 FROM THE FLOOR: That's to dig up all the



1 concrete and all that.

2 SECRETARY STACY: 500.

3 MS. LAND: For a 30-foot one?

4 FROM THE FLOOR: Not a 30-foot.

5 MS. LAND: For a 60-foot?

6 FROM THE FLOOR: Probably for the 400 --

7 FROM THE FLOOR: On the bigger ones. Around  
8 500.

9 SECRETARY STACY: 500,000?

10 FROM THE FLOOR: Yes.

11 CHAIRPERSON TIMMERMAN: Going back to Chris,  
12 does anybody have any other thoughts about that?

13 MS. LAND: Would you mind making a little  
14 bit of a chart with your thought process on what  
15 number --

16 CHAIRPERSON TIMMERMAN: We'll discuss it  
17 next time.

18 FROM THE FLOOR: Sure.

19 MS. LAND: (Unintelligible) I can't  
20 follow -- I'm not following. I'm a little tired.  
21 So that's --

22 CHAIRPERSON TIMMERMAN: It's been long.

23 FROM THE FLOOR: Am I good to send that to  
24 you, Cindy, outside of the meeting?

1 MS. LAND: Yeah, that's fine.

2 FROM THE FLOOR: Just want to make sure it  
3 can be sent outside.

4 MS. LAND: Yeah. You're not a member of the  
5 board, so you can send anything, any time.

6 FROM THE FLOOR: Yeah.

7 CHAIRPERSON TIMMERMAN: Anybody else? All  
8 right.

9 MS. PARGEON: I make a motion we adjourn.  
10 It's been a very worthwhile meeting.

11 SECRETARY STACY: Okay. I need a second.

12 MR. EVANS: I'll second.

13 SECRETARY STACY: Everyone say "Yes."

14 (Vote taken.)

15 SECRETARY STACY: Motion carries.

16 - - -

17 And, thereupon, the proceedings were  
18 concluded at 7:51 p.m.

19 - - -

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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                           Monday, May 13, 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

16                          - - -

17  
18  
19  
20  
21  
22                          ANDERSON REPORTING SERVICES, INC.  
23                          3040 Riverside Drive, Suite 125  
24                          Columbus, Ohio 43221  
                              (614) 326-0177

1 APPEARANCES:

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9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson  
13 Deb Stacy, Secretary  
14 Dave Evans  
15 Clara Pargeon  
16 Matthew Cordonnier, Planning Director, Hancock  
17 Regional Planning Commission

18 - - -

1 MONDAY EVENING SESSION  
2 May 13, 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 13th day of  
8 May, 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 at 5:00. I'll  
14 call the meeting to order.

15 Roll call.

16 Dave Evans.

17 MR. EVANS: Here.

18 CHAIRPERSON TIMMERMAN: Clara Pargeon.

19 MS. PARGEON: Here.

20 CHAIRPERSON TIMMERMAN: Darrin Rehus. Not  
21 here.

22 Deb Stacy.

23 SECRETARY STACY: Here.

24 CHAIRPERSON TIMMERMAN: John Timmerman,  
here.

1           SECRETARY STACY: Okay. The Allen Township  
2 Zoning Commission, May 9th, 2024. Attendance: Dave  
3 Evans, Clara Pargeon, Darrin Rehus, Deb Stacy, John  
4 Timmerman.

5           Deb Stacy, Allen Township Zoning Commission  
6 Secretary, read the May 2nd, 2024, minutes.

7           Motion 24-04-23-M. John Timmerman moved to  
8 approve the Allen Township Zoning Commission minutes  
9 from the May 2nd, 2024, meeting. Clara Pargeon moved  
10 to second the motion. Motion passed.

11           The Allen Township Zoning Commission  
12 reviewed Solar and Wind Energy, setbacks, screening,  
13 drainage, decommission plans, and energy output, and  
14 Definitions were discussed.

15           John Timmerman, Allen Township Zoning  
16 Commission Chairman, asked for input from guests  
17 several times during the meeting. Numerous responses  
18 were given back to the commission.

19           The next zoning commission meeting will be  
20 on May 13th at 5:00. Topics will include: Adult  
21 Entertainment, General Exceptions, Administration and  
22 Enforcement of Zoning.

23           Motion 24-04-24M. Clara Pargeon moved to  
24 adjourn the meeting. Dave Evans seconded the motion.



1 Motion passed.

2 CHAIRPERSON TIMMERMAN: I move to accept the  
3 meeting minutes as read.

4 SECRETARY STACY: That's John. Can I have a  
5 second?

6 MR. EVANS: Second.

7 SECRETARY STACY: There is a second.  
8 Everyone say "Yes."

9 (Vote taken.)

10 SECRETARY STACY: Motion passed.

11 CHAIRPERSON TIMMERMAN: Meeting papers.

12 MS. LAND: Yes. I have something for you.

13 CHAIRPERSON TIMMERMAN: All right. Ponds?

14 MS. LAND: Yes.

15 CHAIRPERSON TIMMERMAN: All right.

16 MS. LAND: This is the zoning amendment that  
17 Washington Township just did for their ponds.

18 MR. EVANS: Thank you.

19 MS. LAND: It has some definitions. It  
20 has -- it removed "lake" completely. They don't have  
21 those anymore. We probably shouldn't have lakes  
22 that -- we shouldn't be able to -- we shouldn't be  
23 trying to regulate lakes. That gets kind of  
24 confusing.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: So I'll put this in there for  
3 him.

4 (Mr. Cordonnier joined the proceedings.)

5 MS. PARGEON: Hello. Have a seat.

6 MS. LAND: I don't know if you want to do  
7 this now or if you want to wait and do it a different  
8 day. Do you want to just dive into the stuff we had  
9 already planned to do? It's up to you guys. Since  
10 you haven't had a chance to review it, I thought maybe  
11 we could do it next time so you'll have a chance to  
12 read through it and get an idea about it.

13 CHAIRPERSON TIMMERMAN: That's fine.

14 MS. LAND: I also got an email from a  
15 resident who was at the last meeting with some  
16 suggested changes that they -- or some suggested  
17 things about amount of kilowatts and stuff like that,  
18 so if you guys want to read through that. It's  
19 just -- I'm handing it off to you because he --

20 SECRETARY STACY: Only one copy?

21 MS. LAND: Yeah. I thought I made copies  
22 but I can't find them in here; that's why I was  
23 shuffling so much.

24 SECRETARY STACY: I don't know if you want

1 to read that out loud.

2 CHAIRPERSON TIMMERMAN: Sure. We can read  
3 it.

4 "Hey, Cindy. This is Chris Goodwin with the  
5 email followup that you requested to my question at  
6 the previous Allen Township Zoning Commission  
7 meeting."

8 MS. LAND: Yeah. Just to clarify what -- at  
9 the last meeting, he was asking a bunch of questions.  
10 I said, Why don't you send it in an email, because it  
11 got kind of confusing when we were talking back and  
12 forth; so this is why he said that.

13 CHAIRPERSON TIMMERMAN: "...regarding the  
14 kilowatt limit to Accessory Use, Solar.

15 "I believe that during the meeting,  
16 Accessory Use was deemed to be 15 kilowatts with a  
17 footprint limit of 1,000 square feet. I believe that  
18 it would be in the best interest to raise that limit  
19 to 25 kilowatts.

20 "To help get a better understanding of  
21 kilowatt usage, we got a free estimate through Tesla  
22 for solar roof panels. According to their estimate,  
23 we would need approximately just under 12 kilowatts'  
24 worth of solar panels to accommodate our housing

1 needs.

2 "Based on these estimates alone, a large  
3 house would need close to, if not exceeding, the  
4 15-kilowatt limit; let alone other external factors  
5 such as sheds, ponds, pools, utilities, et cetera. In  
6 addition, as electric cars become more mainstream,  
7 these may be another factor into the equation.

8 "After a quick Google search, I am seeing  
9 that you need approximately 2 to 5 kilowatts per car  
10 for charging. I think it might be a good idea to  
11 allow residents to fully utilize the land usage  
12 restriction for their solar needs. Which, assuming  
13 37.5 watts per square foot, which is the same estimate  
14 that One Energy is using for its future 25.8-megawatt,  
15 30-acre solar field, it would come out to a bit over  
16 25 kilowatts.

17 "Additionally, I know that decibel  
18 limitations were placed on Wind use, but I don't  
19 remember any similar limitations for Solar. I have  
20 seen a number of videos of people angry about the loud  
21 constant humming that can come from large solar  
22 arrays.

23 "It may be a good idea to implement the same  
24 decibel restrictions to Solar, if we haven't already.

1 "On a final note, Cindy Wizner (phonetic)  
2 informed me that we -- that when I approached  
3 you..." --

4 MS. LAND: You don't really have to read  
5 that part, if you don't want to.

6 CHAIRPERSON TIMMERMAN: Yep. I'm going to  
7 leave that part off. No. I'll leave that part out.  
8 So it's really about the --

9 SECRETARY STACY: Usage.

10 CHAIRPERSON TIMMERMAN: -- the total  
11 kilowatts and the decibel levels.

12 So does anybody have any thoughts towards  
13 that? Let's start with the total kilowatts. I mean,  
14 if we're allowing space for 25 kilowatts, I don't know  
15 that I necessarily have an objection to limiting,  
16 like --

17 MS. LAND: You have 1,000 square feet now.

18 CHAIRPERSON TIMMERMAN: And he's saying that  
19 based on the --

20 MS. LAND: Will 25 fit on there?

21 CHAIRPERSON TIMMERMAN: That's what he says.  
22 Just over.

23 MS. LAND: Oh, okay.

24 CHAIRPERSON TIMMERMAN: Based on what One

1 Energy is proposing for their solar field.

2 MS. LAND: Okay.

3 MR. CORDONNIER: Is that One Energy or  
4 Whirlpool?

5 MS. LAND: It says One Energy.

6 CHAIRPERSON TIMMERMAN: He says One Energy.  
7 It's my understanding it's One Energy for Whirlpool.

8 MR. CORDONNIER: I just didn't know.

9 CHAIRPERSON TIMMERMAN: Yes. I think  
10 they're one and the same. I don't know the ownership  
11 of it.

12 I don't -- I'm going to trust his math on  
13 that right now. It's going to convert from acres to  
14 square feet and I don't remember the number.

15 MS. LAND: Wasn't it 4,480 square feet in an  
16 acre?

17 CHAIRPERSON TIMMERMAN: All right. Fine.

18 MR. EVANS: 43,560.

19 CHAIRPERSON TIMMERMAN: 560.

20 MS. LAND: Okay.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: They currently had 15 is what you  
23 were talking about before.

24 SECRETARY STACY: That's what I thought.

1 15.

2 MS. LAND: Even 25 is quite a lot lower than  
3 what the maximum amount is before it goes to the Power  
4 Siting Board, which is 5 -- you know, 50 megawatts for  
5 solar.

6 MR. CORDONNIER: 50 kilowatts.

7 MS. LAND: Megawatts.

8 MR. CORDONNIER: Yeah. Sorry.

9 CHAIRPERSON TIMMERMAN: My math came out to  
10 19.7, so it'd be 20 kilowatts.

11 SECRETARY STACY: Did we have two different  
12 wattages? Was it different for Accessory versus  
13 Non-Accessory?

14 MS. LAND: Yes. Non-Accessory is 25  
15 already.

16 SECRETARY STACY: 25.

17 CHAIRPERSON TIMMERMAN: Right. So he's  
18 saying that it helps to be the same. 25 is still a  
19 low number.

20 MS. LAND: Right.

21 CHAIRPERSON TIMMERMAN: And I'm okay with  
22 that.

23 MR. EVANS: Yeah.

24 SECRETARY STACY: Okay. I guess both are

1 going to be 25, Accessory and Non-Accessory.

2 MS. LAND: Are we going to -- and the 1,000  
3 square feet with Solar?

4 CHAIRPERSON TIMMERMAN: I mean, at 1,000  
5 square feet, I come out to right at 20 kilowatts.  
6 But, as efficiencies get better over time, it will  
7 still be close.

8 MS. LAND: Okay. I just don't want us to  
9 have two things that aren't compatible so that, you  
10 know, we're kind of precluding people from going to a  
11 maximum that were allowed.

12 CHAIRPERSON TIMMERMAN: Well, I guess I'll  
13 double-check this per acre then. Maybe not. No  
14 internet signal in here. I'm not getting the square  
15 foot per acre.

16 SECRETARY STACY: We can always come back.

17 MR. CORDONNIER: I'm pretty sure it's  
18 43,560.

19 MS. LAND: 43,560.

20 CHAIRPERSON TIMMERMAN: That's what I was  
21 using.

22 SECRETARY STACY: If you can do a little  
23 more crunching.

24 CHAIRPERSON TIMMERMAN: We can come back to



1 it, I guess.

2 SECRETARY STACY: Thursday.

3 CHAIRPERSON TIMMERMAN: As far as decibel  
4 level, I mean, I didn't think decibel level would be  
5 an issue with solar. It never crossed my mind.

6 MS. LAND: It was a big issue when we were  
7 at the Power Siting Board for those large, large  
8 fields up in Washington and Cass Township. However,  
9 that's where the guy told me that the amount that it  
10 gives off is something that somebody my age wouldn't  
11 even hear, so I'm thinking it's not as --

12 MR. CORDONNIER: Rude.

13 MS. LAND: What?

14 MR. CORDONNIER: Rude.

15 MS. LAND: Yeah. We're like -- you know, he  
16 goes, Somebody your age probably wouldn't even hear  
17 it. I was, like, Thanks.

18 MR. EVANS: (Unintelligible)

19 (Laughter.)

20 MS. LAND: Yeah. I'm not sure that there --  
21 except that it's the issue of the constancy of the  
22 hum. So I think they are, like, at 5. I think they  
23 said in their -- and I forgot to pull this, so I  
24 apologize. I do have that back in our office and

1 I'll look at it for what the agreed terms were that we  
2 gave to the Power Siting Board with the company. All  
3 their engineers and the County and the Township all  
4 agreed on what would be acceptable levels. For some  
5 reason, I'm thinking it's about 5. It's really low --

6 CHAIRPERSON TIMMERMAN: Okay.

7 MS. LAND: -- is what it is, but I still  
8 would -- I'll double-check.

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. PARGEON: So little kids shouldn't live  
11 near them because they can hear them.

12 MS. LAND: I wouldn't know if it's happening  
13 or not.

14 SECRETARY STACY: And it's more than just  
15 audible sound. Sometimes inaudible sound will give  
16 you impacts as well.

17 MS. LAND: Yeah. They have the pretty  
18 big -- we literally had this much information  
19 (indicating) for all the reports of the different  
20 areas. But, you know, it's the stuff that the Power  
21 Siting Board looks at for the larger ones, and if they  
22 find it of acceptable levels, I think it makes sense  
23 that -- use them as a guideline for the acceptable  
24 levels for the huge ones that you would find

1 acceptable levels for the small ones. At least then  
2 you can support your decision for what the rationale  
3 is.

4 SECRETARY STACY: Uh-huh.

5 CHAIRPERSON TIMMERMAN: Uh-huh. A couple  
6 notes I made after the meeting, just going through my  
7 head.

8 Density. We said one per mile, far as  
9 the -- I've got to figure it out again --

10 Non-Accessory Use on Wind and Solar. Is that one per  
11 mile from wind turbine to wind turbine and solar to  
12 solar, or do they cross --

13 MS. LAND: Lot line to lot line.

14 CHAIRPERSON TIMMERMAN: Lot line to lot  
15 line. Do they cross-reference?

16 MS. LAND: Oh, can I have a wind and solar  
17 together, and --

18 CHAIRPERSON TIMMERMAN: Or do they have to  
19 be one mile apart?

20 MS. LAND: I see what you're saying. Well,  
21 I don't know. What do you guys think?

22 MS. PARGEON: Should be one mile apart;  
23 otherwise, it's going to be practically on top of each  
24 other.

1 CHAIRPERSON TIMMERMAN: Well, is that --  
2 I understand the one mile. Like, if you had solar  
3 here and you wanted one mile to it. But what if you  
4 had solar, and, then, right next to it wind? Should  
5 it still be one mile apart from -- I don't even know  
6 the way to phrase that.

7 MS. LAND: We're not contemplating moving  
8 the one mile to be less. We're asking if the one mile  
9 applies whether it's solar or wind to each other.

10 MS. PARGEON: Uh-huh. Correct.

11 MS. LAND: I don't know that that's how you  
12 currently have it worded.

13 CHAIRPERSON TIMMERMAN: I don't think that's  
14 how it's worded currently.

15 MS. LAND: Yeah. Right now, it's kind of  
16 worded that it's a mile between each solar and a mile  
17 between each --

18 CHAIRPERSON TIMMERMAN: Wind.

19 MS. LAND: -- wind. But not between any  
20 kind of --

21 CHAIRPERSON TIMMERMAN: Green energy. Yeah.

22 MS. LAND: Is that green? Is that what they  
23 call it?

24 CHAIRPERSON TIMMERMAN: I don't know.

1 MS. LAND: I don't know what you call it.

2 It's up to you guys. Do you want to see if  
3 we can find some way to --

4 CHAIRPERSON TIMMERMAN: I'd be okay with  
5 finding some way to --

6 MS. LAND: Do you guys think that's too  
7 restrictive or would be difficult to follow?

8 MS. PARGEON: No.

9 SECRETARY STACY: Should we do a little bit  
10 of research so we have backup?

11 CHAIRPERSON TIMMERMAN: That's fine, too.

12 SECRETARY STACY: I would like to have  
13 backup.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. PARGEON: You could have them real close  
16 and the prop fall off and break the solar. Oh, well.

17 SECRETARY STACY: (Unintelligible).

18 CHAIRPERSON TIMMERMAN: I think on Accessory  
19 Solar, we said it must be on site. I just wanted to  
20 verify that we said, on Accessory Wind, it must be on  
21 site as well.

22 MS. LAND: Okay. I will double-check. And  
23 I did add a section -- a paragraph. I'm most of the  
24 way getting through these notes that we took and

1 talked about pounded into the same form that we have  
2 used for other things. I added a section that says  
3 Accessory Solar Mounted on a Building. What do we  
4 call it? That it's preferable.

5 CHAIRPERSON TIMMERMAN: Okay.

6 SECRETARY STACY: Okay.

7 MS. LAND: So, I mean, there are a few  
8 things that I didn't know. I didn't have any note on  
9 what we were doing. I put those in highlighted  
10 yellow. When we bring it, we'll talk about those.  
11 You can tell me to leave it, change it, or --

12 CHAIRPERSON TIMMERMAN: Okay.

13 SECRETARY STACY: Okay.

14 MS. LAND: -- dispose of it completely.

15 CHAIRPERSON TIMMERMAN: One more note. For  
16 Solar, the area of 1,000 square feet, is that the area  
17 of ground it's sitting on, or is that the surface area  
18 of the panels? Because if you just say of the panels,  
19 then I don't know why you would do it, but you could  
20 space --

21 MS. LAND: Spread them all over.

22 CHAIRPERSON TIMMERMAN: -- over 100 acres.  
23 It would be not the best way to do that, but you could  
24 do that. And do we care?

1 MS. LAND: Uh-huh.

2 SECRETARY STACY: If I'm looking, there was  
3 part E where, initially, Washington Township had,  
4 "...shall not exceed a half acre in size," and we  
5 pushed it down. That tells me it was talking about  
6 actual property --

7 CHAIRPERSON TIMMERMAN: Property area.

8 SECRETARY STACY: -- location and not actual  
9 panels.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 SECRETARY STACY: So I think that's kind of  
12 more --

13 CHAIRPERSON TIMMERMAN: Just stick with  
14 that.

15 SECRETARY STACY: -- more of the intent that  
16 we were discussing.

17 MS. LAND: Just make sure it says 1,000  
18 square feet of --

19 SECRETARY STACY: Property --

20 CHAIRPERSON TIMMERMAN: Property.

21 SECRETARY STACY: -- or land. Whatever.

22 MR. CORDONNIER: You may want to say  
23 "contiguous."

24 SECRETARY STACY: Contiguous.

1 CHAIRPERSON TIMMERMAN: What does that  
2 term --

3 MS. LAND: It means side by side.

4 MR. CORDONNIER: See it on ten different  
5 spots, you know, that add up to --

6 MS. LAND: Contiguous means it's all  
7 touching.

8 CHAIRPERSON TIMMERMAN: Yeah.

9 MR. CORDONNIER: One square.

10 MS. LAND: It could be little diamonds that  
11 are spread all the way across there, from tip to tip.  
12 If they want to get that creative.

13 FROM THE FLOOR: Solar panels at 30 feet,  
14 65 decibels.

15 MS. LAND: How many?

16 FROM THE FLOOR: At 30 feet away is 65.

17 CHAIRPERSON TIMMERMAN: How big -- what's  
18 the -- does it give anything as to how many -- how  
19 much solar panel --

20 FROM THE FLOOR: It doesn't give that.  
21 There are a couple places where it says that, at  
22 30 feet, 10 meters.

23 MR. EVANS: What is it? A hum?

24 CHAIRPERSON TIMMERMAN: I think it's just a



1 hum. That's based on the email, it sounds like a hum.

2 MR. CORDONNIER: What's the source that  
3 she's looking at?

4 CHAIRPERSON TIMMERMAN: Do you -- what's  
5 the --

6 FROM THE FLOOR: This is Cypress Creek  
7 Renewables. And another one that said the same exact  
8 thing, Solar Choice.

9 CHAIRPERSON TIMMERMAN: Does it hurt  
10 anything just to put "at the property line" again, we  
11 said 40 decibels at the property line?

12 MS. LAND: No. We'll just take that number  
13 there and think about it. We'll find what the  
14 solar -- or Power Siting Board says, and, then, we'll  
15 kind of come up with a number. 65 seems super loud.  
16 It's not the kind of number that we were discussing at  
17 the Power Siting Board at all. So I'm --

18 MR. CORDONNIER: I know Tiffin Avenue is 70,  
19 75 decibels.

20 MS. LAND: With the traffic?

21 MR. CORDONNIER: Yeah. From about 50 feet  
22 away. We had a study for one of the carwashes. The  
23 neighbors were concerned how loud the carwash would  
24 be. We had a noise/sound study.

1 MS. LAND: The thing I added was  
2 "Roof/Structure-Mounted Solar Energy Systems are the  
3 preferred type of accessory system." Doesn't mean  
4 they have to do it. But, at least, then, they know  
5 you're going to get it a little bit better looking.

6 CHAIRPERSON TIMMERMAN: Cindy, I brought  
7 this up to you before, but I'm going to bring it up  
8 again. The very first -- Section 1500 in here says:

9 Whenever any provision of this Resolution  
10 poses more stringent requirements, regulations,  
11 restrictions, or limitations than are imposed or  
12 required by the provisions of any other law or  
13 resolution, then the provisions of this Resolution  
14 shall govern.

15 And, then, Whenever the provisions of any  
16 other law or resolution pose more stringent  
17 requirements than are imposed or required by this  
18 Resolution, then the provisions of such Resolution  
19 shall govern.

20 MS. LAND: Right.

21 CHAIRPERSON TIMMERMAN: Based on that, why  
22 can't we have rules that are more stringent than the  
23 Senate Bill 52?

24 MS. LAND: Because you're still a creature

1 of statute and you can only do what you have the  
2 authority to do. You could -- you are having more  
3 stringent than Senate Bill 52 by going down to  
4 kilowatts instead of megawatts.

5 CHAIRPERSON TIMMERMAN: But you --

6 MS. LAND: You're limiting them at --

7 CHAIRPERSON TIMMERMAN: I thought you  
8 implied that we would not be able to regulate things  
9 that went above 5 megawatts.

10 MS. LAND: You cannot.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MR. CORDONNIER: The State trumps.

13 MS. LAND: The State would --

14 MR. CORDONNIER: The State trumps these  
15 zoning regulations.

16 MS. LAND: You don't have the authority to  
17 even regulate it.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. LAND: Not -- not create something  
20 that's different than theirs. If you have the ability  
21 to play in that playground, then you can be more  
22 stringent than they are.

23 CHAIRPERSON TIMMERMAN: So whose rules would  
24 we be allowed to be more stringent than?

1 MS. LAND: In what?

2 CHAIRPERSON TIMMERMAN: Based on that  
3 section I read. Are we allowed to be more stringent  
4 than the County level?

5 MS. LAND: No. It depends.

6 CHAIRPERSON TIMMERMAN: Okay.

7 MS. LAND: Like, for example, the State  
8 statute says, like, a nonconforming use, if it's not  
9 used within -- as the nonconforming use for two years,  
10 it reverts. You could give them three, four, or five  
11 years because -- but they would be more stringent.

12 I can't give you the overall thing. You've  
13 got to kind of take each kind of thing at a time and  
14 discuss it and work it through because there's a lot  
15 of moving parts on that. I wish I could just say,  
16 Yeah, that's how it works. It's not.

17 CHAIRPERSON TIMMERMAN: Okay. Okay.

18 MS. LAND: But you still are creatures of  
19 statute and townships, and by, you know, by  
20 definition, the children of townships, the commissions  
21 are only given the authority that a statute gives you.

22 And Senate Bill 52 gave you the authority to  
23 regulate up to 5 megawatts --

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. LAND: -- and up to 50. Anything above  
2 that, you don't have the ability to do.

3 CHAIRPERSON TIMMERMAN: Okay. That's fine.  
4 I just -- when I read it, I'm like, kind of implied  
5 that you're allowed to be more stringent than --

6 MS. LAND: You are sometimes. And you can  
7 be less stringent sometimes --

8 CHAIRPERSON TIMMERMAN: Right.

9 MS. LAND: -- depending on if it's a benefit  
10 or a detriment. You can give them benefit where the  
11 State would give them -- you can give them more  
12 benefit than the State does, which makes you, in the  
13 double negative, or less stringent. See what I'm  
14 saying?

15 SECRETARY STACY: Less restrictive.

16 CHAIRPERSON TIMMERMAN: That's fine. I just  
17 wanted to bring it up one more time for clarity.

18 MS. LAND: There is no clarity on it.

19 CHAIRPERSON TIMMERMAN: That's a fair  
20 answer.

21 MR. CORDONNIER: We see it all the time with  
22 covenants and restrictions. The City will issue a  
23 permit for a fence. Their covenants and restrictions  
24 that they agreed to when they purchased the house says

1 they're not allowed to have a fence.

2 We say a lot can be 10,000 square feet. The  
3 health department says you have to have a minimum of  
4 2 acres. So, in that case, they have to have 2 acres.  
5 The bigger lot is actually more restrictive. You see  
6 it like that all the time.

7 And you can set standards where you have  
8 control less or more than what the State does with  
9 their over 50, or over 5. But I think you have -- you  
10 should show some reason why it's, you know, different  
11 than kind of what experts have said.

12 MS. LAND: I don't always consider the  
13 legislature experts on anything. Sorry.

14 MR. CORDONNIER: That was very flattering to  
15 the State legislature. I apologize.

16 CHAIRPERSON TIMMERMAN: All right. So do we  
17 have -- are we moving on, then, to Adult  
18 Entertainment?

19 MS. LAND: Okay. We can do that.

20 SECRETARY STACY: Yeah.

21 FROM THE FLOOR: (Unintelligible). I had to  
22 say that.

23 (Laughter.)

24 SECRETARY STACY: I've got a question before

1 we -- I don't know if we're going to take the time to  
2 read through this or what.

3           It was my understanding that we could  
4 basically state that there would not be Adult  
5 Entertainment permitted in the township. And, then,  
6 I -- when I'm looking at this, I'm seeing things like  
7 a license, like, things that you have to adhere to to  
8 license this. License required. An issuance of a  
9 license.

10           So my question is: Before we wade through  
11 all of this license information, what can -- do we  
12 have the option of saying that there is no permitted  
13 use, or do you specify what district could --

14           MS. LAND: I wish I knew -- I can't find --  
15 I don't seem to have a copy of what Allen Township  
16 adopted because they currently have this adopted,  
17 and I would like to take what they have and plop it  
18 directly in here. I'm not the one who did it.  
19 Somebody else in our office did that many years ago;  
20 he's not at our office anymore. So I don't really  
21 know any of this. No, I can't get in here.

22           SECRETARY STACY: It would be nice, if  
23 that's been identified by the township already, that  
24 we could just insert that and say that it's already

1 been addressed. Here it is.

2 MS. LAND: I wonder if Mark has access to  
3 it. I think he has it because it's a lot of stuff  
4 that he can't --

5 SECRETARY STACY: Do we have any idea how  
6 long ago that may have happened?

7 MS. LAND: It was a while.

8 MR. CORDONNIER: I'm guessing --

9 MS. LAND: It was K.C.

10 MR. CORDONNIER: It was K.C. Bill Hollick  
11 (phonetic) was still director. So 4-13, eight or nine  
12 maybe.

13 MS. LAND: I'd say 9, 10, 11 years.

14 MR. CORDONNIER: 9, 10, somewhere in there.  
15 Anywhere between 2005 and 2012.

16 SECRETARY STACY: Okay.

17 MS. LAND: I'm trying to remember when -- I  
18 think K.C left our office in '12. Yeah. It would  
19 have been a while before that.

20 When did the Lion's Den open? Because it  
21 was, like, within months of that.

22 SECRETARY STACY: Was that what propelled  
23 this last Zoning Resolution 22 years ago?

24 MS. LAND: Which is 2002?



1 MS. PARGEON: Yeah, it was the Lion's Den.

2 SECRETARY STACY: That was the last thing?  
3 And the time before it was the contaminated soil right  
4 there by Pilot.

5 CHAIRPERSON TIMMERMAN: Does 2002 line up  
6 with your recollection?

7 MR. CORDONNIER: No. I wasn't at Regional  
8 Planning. I remember I was at Regional Planning when  
9 they went through the process. I started in '05.

10 MS. LAND: Was it shortly after you got  
11 there?

12 MR. CORDONNIER: I don't know.

13 SECRETARY STACY: I would think that it  
14 should be somewhere.

15 MS. LAND: Oh, yeah, it should be. I'm sure  
16 he's going to have to go digging for it.

17 I think I might be able to access computer  
18 stuff that K.C. might have done back when he was here.  
19 I'm not sure if it's still around. Maybe I can find  
20 his.

21 Do you want to put this off till next time  
22 until I can see if we don't have to really wade into  
23 it?

24 MR. EVANS: It would be nice if we didn't

1 have to spend an hour and a half, and, then, find out,  
2 when you bring something in that it's a five-minute  
3 deal.

4 SECRETARY STACY: But you really wanted to  
5 read that, didn't you?

6 MR. EVANS: Not really. I kept looking  
7 around to make sure -- you know, should we have stuck  
8 a PG sign on the door?

9 CHAIRPERSON TIMMERMAN: Okay. This will be  
10 a short meeting. We opted not to go into Ponds.

11 MS. LAND: That worked out well.

12 CHAIRPERSON TIMMERMAN: Not go to into Adult  
13 Entertainment.

14 MS. LAND: We can always do Ponds now, if  
15 we're not doing Adult Entertainment.

16 CHAIRPERSON TIMMERMAN: Do we want to go and  
17 do General Exceptions then? Or do you want to do  
18 Ponds?

19 MS. PARGEON: I've got to agree with their  
20 feelings of that for the Adult Entertainment --

21 SECRETARY STACY: That's not terribly long.

22 MS. PARGEON: -- on healthy and everything  
23 else. All the diseases that come with them.

24 SECRETARY STACY: We could read that out

1 loud, the Ponds. That's the short one she just gave  
2 you.

3 CHAIRPERSON TIMMERMAN: Are you thinking  
4 Ponds?

5 SECRETARY STACY: Yeah.

6 CHAIRPERSON TIMMERMAN: Let's do it and it  
7 be done since that's part of General -- I don't  
8 remember what the title of that was.

9 SECRETARY STACY: Provisions.

10 CHAIRPERSON TIMMERMAN: General Provisions.  
11 Okay.

12 MR. EVANS: Article 12, General Provisions.  
13 Section 20. To now read, Artificial Ponds.

14 Artificial Ponds may be permitted in all use  
15 districts with review of the zoning commission and  
16 zoning inspector.

17 A. All artificial ponds shall comply with  
18 all requirements of this Resolution, including, but  
19 not limited to, setback and yard requirements from  
20 main structures.

21 B. All artificial ponds may not exceed  
22 3 acres in surface area size with a limit of one pond  
23 per parcel.

24 C. In determining compliance with setbacks

1 and yard requirements, the measurements shall be made  
2 as follows:

3 A. For in-ground ponds, or portions  
4 thereof, from the edge of the pond bank nearest the  
5 road right-of-way or lot line to the road right-of-way  
6 or lot line.

7 B. For above-ground ponds, or portions  
8 thereof, from the lowest point on the outside of any  
9 embankment closest -- on the outside of any embankment  
10 nearest the road right-of-way or lot line to the road  
11 right-of-way or lot line.

12 MS. LAND: I don't understand that language.  
13 Do you?

14 SECRETARY STACY: How can you have an  
15 above-ground --

16 MS. LAND: They are the ones that look like  
17 little --

18 MR. EVANS: Like the reservoirs.

19 MS. LAND: -- reservoirs.

20 I don't get this. Nearest road right-of-way  
21 or lot line to the road right-of-way or lot line.  
22 What does that mean?

23 MS. PARGEON: Say you got lots of winds and  
24 the water's going against the edges and the edges of

1 the thing washes away, and, then, you've got water  
2 across the road.

3 MS. LAND: I think this is only -- what  
4 we're talking about is how we do the initial measuring  
5 to see where it's going to get put.

6 From the edge of the pond bank nearest the  
7 road right-of-way or lot line to the road right-of-way  
8 or lot line?

9 MR. EVANS: To which road right-of-way or  
10 lot line.

11 CHAIRPERSON TIMMERMAN: I think what it's  
12 trying to say is to the closest road right-of-way or  
13 lot line. I don't know why they have to specify it  
14 twice like that.

15 MR. CORDONNIER: Did Jake have any part of  
16 it?

17 MS. LAND: He wrote this. I didn't write  
18 any of this.

19 MR. CORDONNIER: Okay. Well, he's  
20 traumatized by the way that contentious pond went  
21 down.

22 MS. LAND: We're not even close yet to being  
23 done.

24 MR. CORDONNIER: No, the one on --

1 MS. LAND: Oh, in Portage Township?

2 MR. CORDONNIER: Where the property owners  
3 insisted on measuring from weird places --

4 MS. LAND: That's because they are --

5 MR. CORDONNIER: -- from 1938 ODOT maps.

6 MS. LAND: That's because they are a  
7 contractor, and they swear they didn't know it was  
8 zoned and didn't follow any rules and just put a big  
9 honking pond in their front yard right on the edge of  
10 the road. We caught them and said, Stop. So, Yeah,  
11 we'll stop when we're finished, which they did.

12 MR. CORDONNIER: So I think you just need to  
13 state where on the pond you measure from. I mean, you  
14 measure setbacks for fences, houses, buildings. You  
15 measure setbacks everywhere. So I think, in this  
16 case, ponds are a little less. So just stating from  
17 the edge of the pond bank -- I don't know. You don't  
18 need to say where you need to measure to because  
19 that's given in everything you do.

20 MS. PARGEON: Well, it depends where you're  
21 going to have the deep end of the pond. It's not  
22 always in the center.

23 CHAIRPERSON TIMMERMAN: Well, it's saying  
24 from the edge of the pond.

1 MS. PARGEON: Yeah, from the edge. But is  
2 it going to be 10 feet at the edge down below?

3 MR. CORDONNIER: It doesn't matter how deep  
4 it is.

5 CHAIRPERSON TIMMERMAN: No, we're not --  
6 this is to the property line.

7 MS. PARGEON: Property. Okay.

8 MR. CORDONNIER: Yeah.

9 MS. PARGEON: I'm worried about the whole  
10 thing washing away.

11 SECRETARY STACY: What's currently in place  
12 for the county? Whether you're zoned or not,  
13 sometimes there's just protocol that you need to  
14 follow apart from zoning. Do you have to get approval  
15 from the health department? From the county engineer?

16 MS. LAND: You don't get an approval from  
17 anybody unless you're zoned when you're building a  
18 pond.

19 SECRETARY STACY: Okay.

20 MS. LAND: There are some issues with the  
21 measuring that we've found over the years and that's  
22 why we're -- I think is why it's written out, the edge  
23 of the pond bank near. So we know it's not the water.  
24 It's not where the water's lowest point could be, or

1 where the water's highest point could be. It's at the  
2 edge. You know, with the above-ground, it's where it  
3 comes out where the slope ends and it starts not being  
4 a pond anymore. That's where you start measuring  
5 from.

6 The question is: Do you measure to the road  
7 right-of-way or the lot line. You never want to  
8 measure to the middle of the right-of-way because the  
9 right-of-way may not -- the whole road might be on  
10 somebody else's, so you get extra space. I don't like  
11 lot line either because a lot of the lots go to the  
12 middle of the road out in the country.

13 SECRETARY STACY: Right.

14 MS. LAND: And that gives -- or to the  
15 middle of the right-of-way, not -- but they always say  
16 the middle of the road, but it's the middle of the  
17 right-of-way. It's better to have them find the  
18 right-of-way edge and then measure from that for their  
19 setback.

20 MR. CORDONNIER: Yes.

21 MS. LAND: Because you can't build it in the  
22 right-of-way. That's not allowed. And, then,  
23 everybody has an equal -- it may look different from  
24 the air because the road was shifted clear over here



1 on the other side of the right-of-way. It doesn't  
2 matter. It's still exactly -- those are the  
3 parameters of the no man's land, the right-of-way.  
4 Can't do anything there. So everything should be  
5 measured from the edge of the right-of-way.

6 I'm just not understanding what "...or lot  
7 line, or to the road right-of-way or lot line." Those  
8 have got me very confused for why we have those there.

9 MS. PARGEON: You want so many feet away  
10 from the lot line.

11 CHAIRPERSON TIMMERMAN: Right.

12 MR. EVANS: Change it to what you said then.

13 MS. LAND: I would be happy with it saying  
14 for in-ground ponds, or portions thereof, from the  
15 edge of the pond bank nearest the road right-of-way to  
16 the road right-of-way.

17 Oh, I think it just dawned on me what he's  
18 saying.

19 CHAIRPERSON TIMMERMAN: Side lot lines.

20 MS. LAND: No. He's saying you can't  
21 measure from the back of the pond or the side of the  
22 pond. You have to measure from the center of the  
23 front of the pond closest to the road, and that  
24 measuring then is to the road right-of-way.

1           So it's from the bank nearest the road  
2 right-of-way to the road right-of-way, that has to be  
3 your setback area.

4           MR. EVANS:   So cross off both places where  
5 it says "lot line"?

6           MS. LAND:    Uh-huh.

7           CHAIRPERSON TIMMERMAN:   But the lot line is  
8 still necessary for side lot lines, right?

9           MR. CORDONNIER:   Yeah.

10          CHAIRPERSON TIMMERMAN:   So you still need a  
11 lot line?

12          MS. LAND:    Uh-huh.

13          CHAIRPERSON TIMMERMAN:   Side and back.

14          MR. CORDONNIER:   Well, I mean, this isn't  
15 just an issue with ponds.  It's an issue with houses,  
16 fences, everything.  I mean, there should be a general  
17 statement somewhere that says --

18          MS. LAND:    How you measure right-of-way or  
19 setbacks.

20          MR. CORDONNIER:   Setbacks from the  
21 right-of-way, especially in the county where you said  
22 the lots go to the center of the right-of-way.

23          MS. LAND:    Not everywhere, but some places.

24          MR. CORDONNIER:   Some places.  Yes.

1           So there might just need to be a general  
2 overall statement maybe in the definition of Setback,  
3 or something that just clarifies that throughout the  
4 book.

5           MS. PARGEON: You don't want it too close to  
6 a road either.

7           MS. LAND: I think we're going to have to  
8 add a few more words and say, "nearest road -- the  
9 bank nearest the road right-of-way to the lot line,"  
10 or "to the road right-of-way," and "from the edges  
11 closest to the lot lines to the closest lot line," so  
12 it's not so confusing. There's a lot of commas and  
13 "ors" and "ands" that make phrases versus -- God,  
14 I hated English back when I had to take sentences  
15 apart and that's what we are doing here. Diagramming  
16 sentences was never my big thing.

17           MS. PARGEON: But you don't want a pond too  
18 close to a road. And which way does the water run  
19 across the field to wash out the side of the pond? Or  
20 if the pond is down in it, and the pond itself  
21 overflows, which way is the water going to go?  
22 Because how high do you want the sides on the pond so  
23 it retains the water inside?

24           MS. LAND: We're not going to design the

1 ponds.

2 MS. PARGEON: Good.

3 MS. LAND: We're not going to go that far.  
4 We will probably -- down here a little farther, it  
5 requires that Hancock Soil and Water or an engineer  
6 signs off that it is a valid, water-holding --

7 MS. PARGEON: That's sound good.

8 MS. LAND: -- non (unintelligible) kind of  
9 pond. That's what they do.

10 MS. PARGEON: Good.

11 MS. LAND: Although, Soil and Water did  
12 approve of that 117-acre pond.

13 MR. EVANS: That's not really 117, is it?

14 MS. LAND: Yeah.

15 MR. EVANS: Oh.

16 MS. LAND: 30 feet deep.

17 SECRETARY STACY: You're talking about the  
18 borrow pit?

19 MS. LAND: It's a borrow pit.

20 SECRETARY STACY: It's a borrow pit.

21 MS. PARGEON: Oh, to go with that junkyard?

22 MS. LAND: They're swearing it's a pond.  
23 They're asking -- they're appealing. They're taking  
24 us to court. We're on our way to our second lawsuit

1 on it because they are saying it's a pond. It's not.  
2 It's a borrow pit. They even called it that on their  
3 drawings.

4 SECRETARY STACY: If you remove the clay and  
5 you go down to the gravel, how is it going to retain  
6 water? Because it's the clay that's a natural liner  
7 to hold the water.

8 MS. LAND: We had those kind of questions.  
9 Randy Boes is on their zoning commission.

10 SECRETARY STACY: Randy knows.

11 MS. LAND: And he was asking these questions  
12 of the group that was asking for it, and their  
13 attorney stood up and, for lack of a better term,  
14 mansplained to him how you build a pond and how you  
15 make it hold water. And we are all going  
16 (indicating). He's, like, Yeah, I've seen ponds  
17 before. He was very --

18 MR. EVANS: That's funny.

19 MS. LAND: I thought, for heaven's sake.

20 SECRETARY STACY: Yeah.

21 MS. LAND: I'm pretty sure it's going to  
22 take about 26 years of heavy rain to fill it.

23 CHAIRPERSON TIMMERMAN: Do you have Section  
24 A figured out?

1 MS. LAND: I'm going to fix those.

2 CHAIRPERSON TIMMERMAN: Both of them?  
3 They're about the same?

4 MS. LAND: Yeah.

5 CHAIRPERSON TIMMERMAN: Okay. Dave, do you  
6 want to continue? D.

7 MR. EVANS: D. A permit may be issued  
8 only after zoning commission approval and if the  
9 application for a Zoning Certificate for Artificial  
10 Pond is accompanied by a set of detailed plans made by  
11 the Hancock Soil and Water Conservation District or  
12 similar service.

13 MS. LAND: Do you want to add in, you know,  
14 Hancock Soil and Water Conservation District, comma, a  
15 certified engineer, comma, or similar service?

16 MS. PARGEON: Yes.

17 MS. LAND: That way, if they have an  
18 engineer who has done it, we don't have to have them  
19 go bother Soil and Water. If it has an engineer's  
20 stamp on it, it's something you guys can then  
21 consider.

22 MS. PARGEON: Yeah.

23 SECRETARY STACY: That makes sense.

24 MR. CORDONNIER: We're not saying every pond

1 needs a certified engineer, are we?

2 MS. LAND: No. These are "ors."

3 MR. CORDONNIER: Okay.

4 MS. LAND: But if we don't put that in  
5 there, that way -- they can have an engineer's plan,  
6 but they still need to go get a Soil and Water plan.  
7 That's a waste of time for everybody.

8 Mark says he's pretty sure he has that.

9 CHAIRPERSON TIMMERMAN: Perfect.

10 SECRETARY STACY: Wonderful.

11 MS. LAND: Okay. I'll just add that  
12 language.

13 MR. EVANS: Keep going?

14 2. Article 2, Section 2, Definitions.  
15 Language to be Added.

16 Artificial Pond. Any manmade body of water  
17 that retains water on an ongoing basis with a surface  
18 area greater than 500 square feet or more, with a  
19 depth of no less than 6 feet at its deepest point.

20 MS. LAND: I think that is the definition  
21 that we took and put into your Definitions already.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MR. EVANS: Borrow Pit. An area excavated  
24 or to be excavated from which soil and unconsolidated

1 materials are removed or extracted below the grade  
2 level of the property which existed before any  
3 overbuilding of the site occurred for any purpose,  
4 including, but not limited to, for sale, exchange, or  
5 for use as fill for any activities, including, but not  
6 limited to, landscaping, building, construction,  
7 levies, dams, highway construction, or maintenance, or  
8 low-lying areas, whether on site or off site.

9           Surface Area. For a pond or borrow pit, it  
10 is the measurement taken from the highest point to be  
11 excavated -- to be excavated area able to retain  
12 water.

13           MS. LAND: It's the measurement taken from  
14 the highest point to be excavated.

15           MR. EVANS: The highest point to be  
16 excavated.

17           MS. LAND: I'll try to unscramble that, too.

18           MR. CORDONNIER: From the highest point able  
19 to retain water.

20           MS. LAND: Yeah.

21           MR. EVANS: Yeah. That kind of makes sense,  
22 doesn't it? Highest point able --

23           3. All zoning districts, except I-2  
24 Industrial District, language to be added.



1 Section 3. Principal Uses Permitted Subject  
2 to Special Conditions.

3 1. Borrow pits under 3 acres in surface  
4 area.

5 4. Article 9. I-2 Industrial District,  
6 language to be added.

7 Section 3. Principal Uses Permitted Subject  
8 to Special Conditions.

9 The following uses shall be permitted  
10 subject to the conditions hereinafter composed for  
11 each use and subject further to the review and  
12 approval of the Board of Zoning Appeals:

13 1. Borrow pits under 3 acres in surface  
14 area.

15 2. Borrow pits 3 acres or greater in  
16 surface area.

17 MS. LAND: I think that should be the zoning  
18 commission because that's consistent with what you're  
19 doing everywhere else through the book. The rest of  
20 it kind of makes sense to me. You guys okay with it?

21 MS. PARGEON: Uh-huh.

22 CHAIRPERSON TIMMERMAN: Is there a reason  
23 they do the borrow pit two ways, but it's all borrow  
24 pits?

1 MR. EVANS: It's every borrow pit, right?

2 MS. LAND: They don't want any borrow pits  
3 larger than 3 acres in anything other than Industrial.  
4 There could be borrow pits often when you're building  
5 a house, if you need to build it up. A lot of people  
6 end up with a pond just because they have to have a  
7 borrow pit, and, then, it's a big hole, so they  
8 convert it into a pond.

9 There's a very specific way to do that. It  
10 just doesn't automatically become a pond when they  
11 make a borrow pit. There's a lot of literature on it.

12 CHAIRPERSON TIMMERMAN: Why do they -- No. 1  
13 says, "Borrow pits under 3 acres," and No. 2 says  
14 "Borrow pits 3 acres or greater"? Why don't they just  
15 say "all borrow pits" there?

16 MS. LAND: I don't know.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: I think they are just including  
19 the smaller ones. They are still permitted there, and  
20 then larger ones.

21 MR. CORDONNIER: We didn't want to make it  
22 seem like, in I-1 or the I-2 District, that borrow  
23 pits under 3 acres weren't permitted.

24 CHAIRPERSON TIMMERMAN: I gotcha.

1 MS. LAND: If you want to make that more  
2 concise, you could say, "borrow pits of any size."

3 MR. CORDONNIER: Yeah.

4 MS. LAND: Would you rather do that?

5 CHAIRPERSON TIMMERMAN: It doesn't  
6 necessarily matter. The explanation helped that  
7 they're not limited by --

8 SECRETARY STACY: If we can simplify or --

9 CHAIRPERSON TIMMERMAN: Sure.

10 SECRETARY STACY: -- I'm all for that.

11 CHAIRPERSON TIMMERMAN: I'm okay with that.

12 MS. LAND: Do you want to put a maximum on?  
13 You could get 117 acres. That's eight years of strip  
14 mining basically.

15 CHAIRPERSON TIMMERMAN: I'm okay with  
16 putting a maximum on it.

17 SECRETARY STACY: Yeah.

18 MS. PARGEON: Yeah.

19 MS. LAND: We did some quick calculations  
20 with attorney brains in our office, and we think we  
21 figured out it's going to take 50 to 65,000  
22 14-cubic-foot dump trucks to move out 117 acres,  
23 30 feet deep.

24 MS. PARGEON: Wow.

1 MS. LAND: That's a lot. Two years. That's  
2 a lot of trucks.

3 CHAIRPERSON TIMMERMAN: A lot of dirt.

4 MS. LAND: Got to find a place to put it.  
5 That's not our problem.

6 CHAIRPERSON TIMMERMAN: I don't know what a  
7 good size borrow pit is.

8 SECRETARY STACY: Obviously 100 acres is too  
9 large.

10 MS. LAND: That's pretty big.

11 CHAIRPERSON TIMMERMAN: Yeah.

12 MS. PARGEON: That's a big pit.

13 MR. CORDONNIER: I wouldn't think ODOT's are  
14 more than 30 acres probably. I'm thinking of all the  
15 ones along the highways.

16 SECRETARY STACY: Uh-huh.

17 MS. LAND: I'm not even sure they're that  
18 big. They have multiple smaller ones. That's kind of  
19 how they do it.

20 SECRETARY STACY: Uh-huh.

21 CHAIRPERSON TIMMERMAN: And they can place  
22 them where they need to place them, and they are  
23 saying they're making them that size because it makes  
24 more sense to create another one further down the

1 road.

2 SECRETARY STACY: Uh-huh.

3 CHAIRPERSON TIMMERMAN: So with that logic,  
4 I would go 25 acres or something like that.

5 SECRETARY STACY: That's kind of what I was  
6 thinking, more in that range.

7 MR. EVANS: Sounds good to me.

8 CHAIRPERSON TIMMERMAN: What are we going  
9 with? We've got to choose a number.

10 MR. EVANS: 25. Is that what she said?

11 CHAIRPERSON TIMMERMAN: That's fine.

12 MS. LAND: 25, going once. Going twice.

13 MS. PARGEON: 25. Sold.

14 SECRETARY STACY: It's better than 100.

15 CHAIRPERSON TIMMERMAN: Yeah.

16 MS. PARGEON: Yeah. Oh, definitely.

17 Definitely.

18 MS. LAND: These kind of things that you're  
19 discussing, I think when it comes time for the  
20 hearings, people may have questions. You know, Why  
21 did you pick 25 kilowatts? Why do you do 25? If they  
22 have some -- your response then is, Well, do you have  
23 a number you'd like to see? Not sarcastically, but  
24 they may have knowledge that you don't have.

1 SECRETARY STACY: Right.

2 MS. LAND: And ask them to explain why.

3 MS. PARGEON: We're open.

4 MS. LAND: Yeah. So you might end up  
5 changing that to something different. Any of these  
6 numbers might change to something different.

7 CHAIRPERSON TIMMERMAN: So what stops  
8 another 25-acre borrow pit from being placed right  
9 next to the first one?

10 MS. LAND: Nothing, unless you do something  
11 about it.

12 MS. PARGEON: They turn it into a campground  
13 then.

14 MR. CORDONNIER: It's I-2 zoning, and you  
15 don't have any -- you might not even have any I-2  
16 zoning.

17 CHAIRPERSON TIMMERMAN: We have to have I-2  
18 zoning.

19 MS. LAND: We'll have some.

20 MR. EVANS: Some. But it's not going to be  
21 too big.

22 CHAIRPERSON TIMMERMAN: Yeah. Right.

23 MR. CORDONNIER: If someone wants to convert  
24 a 100-acre farm field to I-2 zoning, you pretty much

1 have -- you have very broad discretion. They don't  
2 have a right to I-2 zoning. The township would have  
3 pretty broad discretion to turn them down.

4 MS. LAND: Or if you didn't turn them down,  
5 in the same amendment where you're changing it to I-2  
6 zoning, you can put a limitation on how many borrow  
7 pits can go into 100 acres.

8 CHAIRPERSON TIMMERMAN: Do it like that,  
9 you're saying?

10 MS. LAND: Yeah, you can. When you're doing  
11 amending, you can do any weird combination of  
12 amendments together. They don't have to be related to  
13 one another.

14 You know, if somebody comes along and wants  
15 something rezoned, that's an amendment. But if you  
16 guys know that you have an issue with something with  
17 nonconforming uses that you want to have it switched  
18 around a little, that would be the time to do it.  
19 Because you're doing your hearings and everything all  
20 at once, do it then.

21 So what I'm kind of saying is it's not going  
22 to jump up and spring it on you because when they are  
23 asking for their rezoning, that's where you'll have  
24 the opportunity to see if you're going to have a

1 problem with this.

2 CHAIRPERSON TIMMERMAN: How many borrow pits  
3 do we currently have in Allen Township?

4 MS. LAND: No idea. Not many big ones that  
5 I know of really. I mean, ODOT has a number along 75,  
6 I think.

7 CHAIRPERSON TIMMERMAN: I guess my point is  
8 we don't currently have a problem.

9 SECRETARY STACY: I will state this: I know  
10 a landowner who is going to -- who has property close  
11 to where they're going to put the new roundabout and  
12 they were contacted for soil, to which they said no.  
13 However, they could have said yes.

14 CHAIRPERSON TIMMERMAN: Yeah.

15 SECRETARY STACY: So that would have been a  
16 borrow pit.

17 CHAIRPERSON TIMMERMAN: Right.

18 MS. LAND: Uh-huh.

19 CHAIRPERSON TIMMERMAN: Do you want to add  
20 density on it? Anybody? Anybody?

21 MS. LAND: I have some issues visualizing  
22 the spatial part of this. But if you have a 25-acre  
23 borrow pit and you make it a mile to the next one,  
24 that's not going to seem like that much, is it? Not



1 much space between them really because 25 acres is a  
2 big area, right?

3 CHAIRPERSON TIMMERMAN: Uh-huh.

4 MR. CORDONNIER: A mile is pretty far.

5 CHAIRPERSON TIMMERMAN: A mile is pretty  
6 far. Again, how big is the I-2 District?

7 MR. EVANS: Right. That's what it boils  
8 down to.

9 MS. PARGEON: Uh-huh. Yeah.

10 SECRETARY STACY: That's going to be what's  
11 going to restrict it is the size of the I-2 District.

12 MS. LAND: I guess I'm not that worried  
13 about the density issue on these.

14 CHAIRPERSON TIMMERMAN: Yeah. I'm okay.  
15 25 acres and be done for right now.

16 MR. EVANS: Yeah.

17 MS. LAND: Okay. There's nothing in here  
18 for density for ponds. I thought there was supposed  
19 to be something in Washington Township's about the  
20 number of ponds that could be put on a -- I'm not  
21 seeing it. Oh, one pond per parcel.

22 MR. CORDONNIER: I was going to say, I  
23 thought I read it.

24 CHAIRPERSON TIMMERMAN: Where does it say

1 that?

2 MS. LAND: B.

3 SECRETARY STACY: One pond per parcel.

4 CHAIRPERSON TIMMERMAN: Yeah.

5 MS. LAND: Instead of, "All artificial ponds  
6 may not exceed..." I would like it to say, "No  
7 artificial ponds may exceed 3 acres." They all shall  
8 comply with requirements of the Resolution in A is  
9 fine, but I would like "no" instead of "all."

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: And I will write something for A  
12 and B there and run it past people in our office and  
13 ask them if you know what I'm talking about. They're  
14 good like that.

15 FROM THE FLOOR: Can I ask a question?

16 MS. LAND: Sure.

17 FROM THE FLOOR: The 25 acres, is there a  
18 reason why you'd want it that big? That's a million  
19 square feet, give or take, with quick math. Like  
20 1,000 by 1,000 feet. That's the size of Best Buy  
21 Distribution Center, for example.

22 SECRETARY STACY: That is --

23 FROM THE FLOOR: If that's 30 feet deep,  
24 that's pretty big.

1 MS. LAND: But that usually is regulated by  
2 where you hit bedrock. I don't know where bedrock is  
3 here, if it's high or low. But Washington Township,  
4 they get to 30 feet before they hit rock.

5 FROM THE FLOOR: That just seems really big  
6 to me.

7 SECRETARY STACY: That's true. It does.

8 CHAIRPERSON TIMMERMAN: What number sounds  
9 to you?

10 FROM THE FLOOR: Yeah, Pond Guy.

11 FROM THE FLOOR: I mean, half a million  
12 square feet is big. That's big. Just off the top of  
13 my head.

14 SECRETARY STACY: 5 acres?

15 FROM THE FLOOR: Well, 5.

16 SECRETARY STACY: Or is that still --

17 FROM THE FLOOR: I mean, there's some  
18 farmers that put in 5-acre ponds. So it's tough, but  
19 you're limiting that to 3 so -- on ponds, but I don't  
20 know.

21 MS. LAND: A 5-acre pond is pretty big.

22 FROM THE FLOOR: That's huge.

23 MS. LAND: Yeah.

24 FROM THE FLOOR: I don't know. 20?

1 SECRETARY STACY: I think we need to take  
2 that number down.

3 FROM THE FLOOR: That number seems to come  
4 down because it just seems like a lot.

5 SECRETARY STACY: Yeah, it is.

6 MR. EVANS: We were actually reducing it.

7 SECRETARY STACY: We were talking about 100,  
8 and, then, we were like, oh, 25 sounds smaller.

9 MR. EVANS: Math.

10 FROM THE FLOOR: Especially if there's not  
11 any sort of limitation on the quote, "density," of  
12 those. If they string a bunch of those together,  
13 then, like you pointed out --

14 MS. PARGEON: Yeah. Along, the interstate.

15 CHAIRPERSON TIMMERMAN: The density would be  
16 limited to they have to be in the I-2 District.

17 FROM THE FLOOR: Sure.

18 MS. LAND: And one per parcel.

19 CHAIRPERSON TIMMERMAN: One per parcel.

20 SECRETARY STACY: But still, I have no  
21 problem taking it down less than 25.

22 MR. EVANS: To what? 10 or 15?

23 CHAIRPERSON TIMMERMAN: Come on. Choose a  
24 number.

1 MS. PARGEON: Take it down to 10.

2 SECRETARY STACY: I would say 5 or 10.

3 FROM THE FLOOR: I don't know what the  
4 number is, but...

5 CHAIRPERSON TIMMERMAN: Is 10?

6 FROM THE FLOOR: I mean, 10 is -- well,  
7 that's 430,000, right, square feet? 43,000 per acre.  
8 So 430,000 square feet. That's a pretty good borrow  
9 pit. That's probably more manageable than a million.

10 CHAIRPERSON TIMMERMAN: Okay.

11 SECRETARY STACY: How about 5?

12 MS. LAND: 5 is a little small.

13 FROM THE FLOOR: 5 might be a little small  
14 for that purpose.

15 MS. LAND: It is. In an Industrial area, it  
16 might be too small.

17 CHAIRPERSON TIMMERMAN: So we want to do 10?

18 SECRETARY STACY: We're going to do 10.

19 CHAIRPERSON TIMMERMAN: Dave, any thoughts  
20 on 10?

21 MR. EVANS: That sounds good to me.

22 CHAIRPERSON TIMMERMAN: Clara?

23 MS. PARGEON: Yeah, 10 is fine.

24 CHAIRPERSON TIMMERMAN: I guess we'll go

1 with 10 then.

2 Was Adult Entertainment going to be in the  
3 General Provisions?

4 MS. LAND: Yes.

5 CHAIRPERSON TIMMERMAN: And you said --

6 MS. LAND: Mark says he's got it already  
7 adopted.

8 CHAIRPERSON TIMMERMAN: He's got that.

9 Ponds, we just went through. That's part of  
10 General Provisions. Was there anything else for  
11 General Provisions then?

12 SECRETARY STACY: Are we going to insert the  
13 Marijuana? Since we are inserting the Adult  
14 Entertainment, can we insert Marijuana, the  
15 commercial -- the prohibition of commercial growing  
16 and retail?

17 MS. LAND: Maybe. But we don't really have  
18 any rules on them, other than it's not allowed. So we  
19 could probably add -- it would be almost just like one  
20 line.

21 SECRETARY STACY: That would be fine.

22 MS. LAND: Pursuant to this Resolution  
23 number of the township trustees, it's not -- they are  
24 not permitted.

1 SECRETARY STACY: Even if it's one line, I'd  
2 like to see it in there.

3 MR. EVANS: So there's no question.

4 SECRETARY STACY: Yeah. You don't address  
5 it.

6 Yes, we did.

7 Where are we at now?

8 CHAIRPERSON TIMMERMAN: Well, General  
9 Exceptions would be the next section. I know at one  
10 point in time you mentioned something about landfills.

11 SECRETARY STACY: Yeah.

12 CHAIRPERSON TIMMERMAN: Is that something  
13 that would go in this area?

14 SECRETARY STACY: Yeah. Since we're kind of  
15 getting into some different topics. You had made a  
16 comment about we have the sanitary landfill that has  
17 oversight from our County Commissioners, and you made  
18 a comment that it is -- it was unlikely that they  
19 would permit a new landfill in the township.

20 MS. LAND: Right.

21 SECRETARY STACY: I personally -- I mean,  
22 you know, Commissioners come and go. If there's any  
23 way that we can give ourselves a little more  
24 protection on the issue --

1 MS. LAND: Okay.

2 SECRETARY STACY: -- I would like to address  
3 that. I think it's -- we have a significant area  
4 already dedicated to a landfill. I think we've paid  
5 our dues as far as landfill. We don't need any more  
6 new landfills.

7 MS. PARGEON: No.

8 SECRETARY STACY: So -- and I don't want to  
9 rely on a couple of elected official as to whether or  
10 not that could happen.

11 MR. EVANS: Is that something, like you  
12 said, can they override? What can they override?

13 MS. LAND: The County could. But a private  
14 landfill could not.

15 MR. EVANS: Gotcha.

16 SECRETARY STACY: Right.

17 MS. PARGEON: Yeah. No more private  
18 landfills. No.

19 MS. LAND: You have a couple of businesses  
20 in the township that are -- like, you may want to make  
21 your I-2 kind of area somewhere out around the  
22 landfill. I mean, there's an explosives company out  
23 there. There's, like -- well, that would be --

24 MR. EVANS: Wrecking yards.



1 MS. LAND: Yeah. There's a couple of  
2 impound yard kind of things. And, then, there's the  
3 gas-to-electricity generator that's on the landfill  
4 property, but it's not landfill. It doesn't belong to  
5 the landfill; it belongs to -- who is Granger? I  
6 don't know who owns it now. They've turned to some --  
7 it's an initial thing. I don't remember what the  
8 initials are.

9 But those are things that are kind of  
10 volatile, all of them. Even the landfill is volatile  
11 because there's a lot of methane in it. And trying to  
12 bleed that off and turn it into electricity, but it  
13 still has to burn that flame off and it's just not  
14 something -- it definitely falls into the category of  
15 an I-2 kind of industrial use.

16 SECRETARY STACY: True.

17 MR. CORDONNIER: I would think zoning the  
18 landfill I-2 would be your --

19 MS. LAND: Your I-2 area.

20 MR. CORDONNIER: -- your I-2 area.

21 CHAIRPERSON TIMMERMAN: Is the landfill  
22 restricted to I-2?

23 MS. LAND: We could.

24 MS. PARGEON: That would be a good idea.

1 CHAIRPERSON TIMMERMAN: I would think.

2 MS. PARGEON: Yeah. That way it's out  
3 there.

4 MS. LAND: All right. I'll write something  
5 up about landfills for the next time. We're going to  
6 have an eclectic mix of weird stuff to go back and  
7 look at next time, so we'll have to keep shifting  
8 gears.

9 CHAIRPERSON TIMMERMAN: Okay. Anything else  
10 before we move on to General Exceptions?

11 MR. EVANS: Where is that?

12 CHAIRPERSON TIMMERMAN: It's the next  
13 section, Page 61.

14 SECRETARY STACY: I just -- would it make  
15 sense -- you know, we briefly touched on the fact that  
16 a building code is separate from zoning. It seems  
17 that, for some reason, people get hung up on thinking  
18 that, if they vote for zoning, they're voting for a  
19 building code. The building code is already in place.  
20 We've talked about that.

21 MS. LAND: It's a State thing.

22 SECRETARY STACY: It's a State thing. But  
23 could we just maybe have one or two sentences that  
24 address that a building code is separate from zoning

1 and that it comes from the State? It's  
2 state-regulated just to have, again, just a little  
3 blurb in there.

4 CHAIRPERSON TIMMERMAN: Just like in the  
5 title at the very start of the book, you're saying?  
6 Where would you put it?

7 SECRETARY STACY: I don't know. I guess, in  
8 my opinion, it kind of sounds like what you would do  
9 for Adult Entertainment or Marijuana or not. You can  
10 just make a brief comment that it is separate.

11 MS. LAND: We could put it in the part where  
12 John was commenting at the front where we say what the  
13 purpose in our Mission Statement is.

14 SECRETARY STACY: Okay.

15 MS. LAND: That zoning is meant for the  
16 orderly development and --

17 SECRETARY STACY: Okay.

18 MS. LAND: -- advancement of the township,  
19 or something like that.

20 SECRETARY STACY: That's true.

21 MS. LAND: It is not a zoning code or is not  
22 a building code.

23 MR. EVANS: Right.

24 SECRETARY STACY: Right.

1 CHAIRPERSON TIMMERMAN: It's a blanket  
2 statement that covers the whole book at that point.

3 SECRETARY STACY: But I do recall, and it's  
4 been some years ago, but there were a number of people  
5 that really got hung on up on that.

6 MS. LAND: It being a building code. Also  
7 that and taxes are the two things that people were the  
8 most worried about.

9 Zoning -- and there was some mailings that  
10 went out that had some stuff in it that was not true.  
11 Zoning can't tell you how to mow your grass. They  
12 can't tell you what color your house can be or what  
13 your fence can look like, other than where it's  
14 positioned and how big it can be.

15 If you want to have a purple and pink picket  
16 fence, you're allowed to do that. Now, your neighbors  
17 aren't going to like it very much, but zoning has  
18 nothing to do with it.

19 So it doesn't restrict your ability to do  
20 much of anything, other than where you put it on your  
21 property.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. LAND: And what use your property can  
24 have.

1 SECRETARY STACY: Uh-huh.

2 MS. LAND: And that's something that I  
3 think, at hearings, you guys are going to have to be  
4 able to convey.

5 SECRETARY STACY: Uh-huh. Yeah.

6 CHAIRPERSON TIMMERMAN: Okay.

7 MS. LAND: At least township zoning can't  
8 regulate those things. I don't know if the City does  
9 it. I don't know how they do it, but they do that.

10 MR. CORDONNIER: Yes, it is. Yeah. Go talk  
11 with Dublin, Ohio, about all of the criteria that they  
12 have. I mean, township zoning can have, like, high --  
13 do they have, like, grass standards or anything like  
14 that?

15 MS. LAND: Can't have that.

16 MS. PARGEON: We're a farm community. Got  
17 to have a hay field.

18 MS. LAND: You can't zone aesthetics or  
19 times of uses. They can't tell you that you can't,  
20 you know, operate something after a particular time.  
21 We can tell you that you cannot operate it after a  
22 particular time with lights that shine in your  
23 neighbors' yards, or with sound that's going to be too  
24 loud for the neighbor's around you.

1           But we can't tell you that you have to shut  
2 down whatever you're doing at 10:00 p.m. That's not  
3 something that zoning has -- they just don't have that  
4 authority. Townships are creatures of statute. If it  
5 doesn't say we can do it, we can't.

6           CHAIRPERSON TIMMERMAN: Okay.

7           MS. LAND: Too many people live with the,  
8 Oh, let's think outside the box. You can't do that.  
9 I mean, I know we get criticized a lot because we  
10 don't think outside the box, but we're just not  
11 allowed to by the Ohio Constitution. We have a box  
12 and we can go as far as we can to the edges of it, but  
13 we cannot leave it.

14          MR. EVANS: Start with Article 16 again.

15          General Exceptions.

16          Section 1600. Area, Height, and Use  
17 Exceptions.

18          The regulations in this Resolution shall be  
19 subject to the following interpretations and  
20 exceptions:

21          Sections 1601.

22          Essential Services. Essential Services  
23 serving the township shall be permitted as authorized  
24 and regulated by law and another Resolutions of the

1 township. Overhead or underground lines and necessary  
2 towers and poles to be erected to service primarily  
3 those services beyond the township shall receive the  
4 review and approval after public hearing of the zoning  
5 commission.

6 Such review by the zoning commission shall  
7 consider abutting property and uses as they relate to  
8 easements, right-of-way, overhead lines, poles, and  
9 towers, and, further, shall consider injurious effects  
10 on adjacent property as well as the orderly appearance  
11 of the township.

12 SECRETARY STACY: That can -- really?  
13 Zoning can address that? Because I didn't think that  
14 public -- is this public utilities that we're talking  
15 about?

16 MS. LAND: I think so.

17 SECRETARY STACY: I mean, that doesn't seem  
18 like -- I didn't think --

19 MR. CORDONNIER: I don't give that paragraph  
20 a high grade.

21 SECRETARY STACY: Me either.

22 MS. PARGEON: Because the companies are  
23 going to come in and put whatever they want across  
24 your property and that's that.

1           SECRETARY STACY: It could be the public  
2 utility. I guess I had the understanding that, since  
3 they are serving the public, they pretty much have  
4 their way with what they wanted to do and where.

5           MS. PARGEON: Uh-huh.

6           SECRETARY STACY: Am I wrong?

7           MS. LAND: No, you're not. There's a  
8 specific ORC that says we can't really regulate public  
9 utilities. They have to stay, of course, in their  
10 easements, and stuff like that. They can't just come  
11 and put in anything they want. But they have  
12 easements all over the place and, if they want to use  
13 them, they can.

14           SECRETARY STACY: Can they create new  
15 easements?

16           MS. LAND: They have to buy them.

17           SECRETARY STACY: Okay.

18           MS. PARGEON: They want to come across your  
19 field.

20           SECRETARY STACY: So if the landowner -- if  
21 they say, I'd like to put a cell tower right in the  
22 middle of your field, and I say, No, thank you --

23           MS. LAND: They can't do it.

24           SECRETARY STACY: Okay.



1 MS. LAND: Unless they get your -- the  
2 ability from you to have the -- beyond that. Now, if  
3 they want to put it in the road right-of-way, then --

4 SECRETARY STACY: Okay. Right.

5 MS. LAND: But they can't fit those on  
6 there.

7 It's a bigger thing with power poles and  
8 telephone poles which aren't as prevalent as they used  
9 to be. They are trying to do more underground stuff.

10 SECRETARY STACY: Right. Right. Do we take  
11 that out?

12 MS. LAND: It's for those services,  
13 primarily those areas beyond the township shall  
14 receive the review and approval after public hearing.

15 I just don't know how that got in there and  
16 what it has to do with. What authority we have to do  
17 that.

18 MR. CORDONNIER: The paragraph might be  
19 40 years old also.

20 MS. LAND: Yeah. And I'm thinking it might  
21 not be -- if you want to remove it, we can.

22 MS. PARGEON: No.

23 SECRETARY STACY: Again, that's one less  
24 thing for the zoning commission to deal with if we

1 don't have that authority.

2 MR. CORDONNIER: I just don't like  
3 someone -- I mean, it's not likely, but someone could  
4 start, What's essential? and trying to broaden that.

5 MS. PARGEON: Well, the power company wanted  
6 to put a big line across the Kreinbrink Farm on the  
7 back side. They wanted to bring it in so many feet  
8 from the property line and further into the field, and  
9 my father said no; so they had to put it along where  
10 the fence line is.

11 MS. LAND: That's where they already had  
12 their easement.

13 MS. PARGEON: Yeah. They had to stay at the  
14 property line.

15 MS. LAND: Right.

16 MS. PARGEON: They weren't allowed to come  
17 in the field, in the back part of the farm; otherwise,  
18 it would have been a big power line going underground.

19 SECRETARY STACY: That would devalue your  
20 property.

21 MS. PARGEON: Correct. Correct.

22 SECRETARY STACY: Right.

23 MS. PARGEON: So, yeah. Leave it in there.

24 SECRETARY STACY: Okay.

1 MS. LAND: Leave it in?

2 CHAIRPERSON TIMMERMAN: If we can't enforce  
3 that.

4 MS. PARGEON: Oh, we can't enforce that.  
5 Okay.

6 CHAIRPERSON TIMMERMAN: Are we missing what  
7 the intent of this is, or is it just outdated?

8 MS. LAND: With this or without this, they  
9 still have to go through the process that they went  
10 through with your father. They still have to get  
11 permission and buy a new easement to move onto your  
12 property.

13 MS. PARGEON: Okay. Well, then you can take  
14 that out then.

15 MS. LAND: But this seems to be saying that  
16 the township will hold a -- zoning commission will  
17 hold a hearing for review and approval. Well, I don't  
18 think you have the ability to give review and  
19 approval.

20 MS. PARGEON: No.

21 MS. LAND: And I think you might be giving  
22 people the wrong idea that they have some power to try  
23 to do something about these things in the right-of-way  
24 or the utility easements. I think I would prefer to

1 just have that go.

2 MS. PARGEON: Take it out.

3 SECRETARY STACY: Okay.

4 CHAIRPERSON TIMMERMAN: I'm okay with that.

5 MR. EVANS: Go on to Section 1602. Height  
6 Limit.

7 SECRETARY STACY: Uh-huh.

8 MR. EVANS: The height limitations of this  
9 Resolution shall not apply to farm buildings,  
10 chimneys, church spires, flag poles, public monuments,  
11 or wireless transmission towers, provided, however,  
12 that the Board of Zoning Appeals may specify a height  
13 limit for any such structure when such structure  
14 requires authorization as a Conditional Use.

15 MS. LAND: I don't think that should be  
16 zoning appeals. I think it should be zoning  
17 commission because the zoning commission does  
18 Conditional Uses.

19 MR. EVANS: Go on?

20 MS. LAND: Wait a second here.

21 MR. EVANS: Sure.

22 Section 1603. Lot Area.

23 Any lot existing on the effective date of  
24 this Resolution may be used for any Principal Use

1 permitted, other than Conditional Uses for which  
2 special lot area requirements are specified in this  
3 Resolution in the district in which such lot is  
4 located whether or not such lot complies with the lot  
5 area and width requirements of this Resolution.

6           Such use may be established provided that  
7 all requirements, other than lot area and width,  
8 prescribed in this Resolution are complied with, and  
9 provided that not more than one dwelling unit shall  
10 occupy any lot, except in conformance with the  
11 provisions of this Resolution for requirement lot area  
12 for each dwelling.

13           Section 1604. Access Through Yards.

14           The purpose of this Resolution, access  
15 drives may be placed in the required front or side  
16 yards so as to provide access to rear yards or  
17 accessory or attached structures. These drives shall  
18 not be considered as structural violations in front  
19 and side yards.

20           Further, any walk, terrace, or other  
21 pavement servicing a like function and not in excess  
22 of 9 inches above the grade upon which placed, shall  
23 for the purpose of this Resolution, not be considered  
24 to be a structure and shall be permitted in any

1 required yard.

2 CHAIRPERSON TIMMERMAN: Where does that  
3 9 inches come from?

4 MR. EVANS: That's kind of a --

5 CHAIRPERSON TIMMERMAN: Anybody have any  
6 idea on that?

7 MS. LAND: That would be like a deck.  
8 Something that is raised up enough to be like a deck.  
9 Why 9 inches? I don't know.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. PARGEON: Any walk, terrace, or other  
12 pavement servicing a like function. Okay. They don't  
13 want the sidewalk higher than 9 inches above the  
14 grade.

15 MS. LAND: I think maybe one of the patios  
16 or terraces that have the little brick wall around  
17 them. Those start to be -- they aren't flat, so  
18 I think that's what they're trying to say. The  
19 exception doesn't go as far as that.

20 CHAIRPERSON TIMMERMAN: Okay. Is that -- do  
21 we want that in there? Is that needed in there?

22 MS. LAND: Yeah. Unless you don't want to  
23 worry about that. But I think we talked about this  
24 one other time.

1           And, Matt, didn't you say that in the City,  
2 they do consider that construction, the driveway and  
3 all that stuff because it's nonpermeable?

4           MR. CORDONNIER: To meet the drainage  
5 standards and for lot coverage --

6           MS. LAND: For lot coverage.

7           MR. CORDONNIER: -- in the multi-family.

8           MS. LAND: But, here, we're basically saying  
9 the drive shall not be considered a structural  
10 violation in the front and side yards, which makes  
11 sense because you've got to have your driveway come  
12 out through your setback.

13          MS. PARGEON: Right. I say leave it.

14          MS. LAND: Walk, terrace, or other pavement  
15 servicing a like function and not in excess of  
16 9 inches above grade on which placed.

17          CHAIRPERSON TIMMERMAN: I was just saying  
18 that the 9 inches seems to be a -- you're saying if  
19 they --

20          MS. LAND: A weirdly random number.

21          MS. PARGEON: Uh-huh.

22          CHAIRPERSON TIMMERMAN: And anything over  
23 9 inches.

24          MS. LAND: Anything under 9 inches, they're

1 saying is okay. If it's 9 inches or more, we're  
2 considering it structure and it's not permitted  
3 without fitting the setbacks and such.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: But I don't know why the  
6 9 inches.

7 MS. PARGEON: Well, it's got to settle.

8 MS. LAND: It would be that high, really,  
9 above grade before it gets determined to be a  
10 structure. 9 inches is a good solid tripping amount.

11 SECRETARY STACY: Uh-huh.

12 MR. CORDONNIER: I thought it was decks.

13 MS. LAND: That's what I was thinking of.  
14 Decks.

15 MR. CORDONNIER: Decks, too.

16 MS. PARGEON: I say leave it.

17 MR. CORDONNIER: I view this as permission  
18 to have a driveway.

19 CHAIRPERSON TIMMERMAN: Right.

20 MS. PARGEON: Uh-huh.

21 CHAIRPERSON TIMMERMAN: If you raised this  
22 up to, say, 24 inches or something, does that -- is  
23 that permission to put in a deck without a permit?

24 MR. CORDONNIER: It's a little fuzzy, but I



1 think it opens it up a lot more. Yeah.

2 MS. LAND: I think it does, too.

3 CHAIRPERSON TIMMERMAN: Is that good or bad?

4 MS. LAND: Bad.

5 MS. PARGEON: Leave it at 9 inches.

6 CHAIRPERSON TIMMERMAN: She was quick with  
7 that. I trust her.

8 MS. LAND: Decks change the footprint of the  
9 property and they are raised like a porch. And decks  
10 can also very easily be covered and enclosed and,  
11 suddenly, you have a screened room. Zoning didn't say  
12 anything about it, but if it's sticking way back past  
13 where it should be, it could be infringing on your  
14 neighbors; so that's why they have to at least be  
15 regulated.

16 CHAIRPERSON TIMMERMAN: Okay.

17 SECRETARY STACY: So it's not so much the  
18 addition of the deck. It's going to be dealt like in  
19 the easement or right up against the property. Those  
20 are the things that we're concerned about.

21 MS. LAND: Yeah. We want to put it in the  
22 category of things they still have to get a permit so  
23 we are sure that they are fitting the setbacks and  
24 stuff like any other structure would have.

1 SECRETARY STACY: Okay.

2 MS. LAND: Now, you guys have gone very  
3 lenient, though -- taking a step back here and  
4 thinking this through -- on the issue of what is a  
5 building by determining that they -- if it's on skids,  
6 they don't have to -- they're not considered a  
7 building; they're not considered structure, and you  
8 don't care where they get put, then, they could be  
9 right on a lot line.

10 CHAIRPERSON TIMMERMAN: Did we finalize  
11 that? I don't know that we finalized it.

12 MS. LAND: I just remembered it because I  
13 was going through cleaning stuff up and I saw it.

14 MS. PARGEON: We had put it on the review.

15 MS. LAND: Yeah. We can come back when  
16 we're going through the whole thing and revisit that.

17 SECRETARY STACY: Those storage containers,  
18 those -- almost like --

19 MS. LAND: Oh, yeah. Shipping containers.

20 SECRETARY STACY: Shipping containers.  
21 I'm aware that there's a certain township where that's  
22 grown to be a large problem and they are putting them  
23 in front yards. They are putting --

24 MS. LAND: You have a pretty significant

1 number of them here, too.

2 SECRETARY STACY: I have seen some. Yeah.

3 MS. LAND: The building code for the State  
4 of Ohio was changed a year or two ago to have them be  
5 considered buildings.

6 SECRETARY STACY: Okay.

7 MS. LAND: So they would be able to get a  
8 Building Permit to just set it on blocks and have a --  
9 you know, have a -- there's a number of them. There  
10 were. I don't know if they are still there, but there  
11 were.

12 SECRETARY STACY: I think we have provisions  
13 because this township that I'm thinking of, they even  
14 have a person living in the shipping container.

15 MR. EVANS: That's getting popular.

16 MS. LAND: It's kind of a thing.

17 SECRETARY STACY: But I think we did address  
18 that as far as --

19 MS. LAND: Here's the thing, though. If  
20 they take shipping containers, they take, say, four of  
21 them, stack them in a cube, put them on a foundation,  
22 you can't -- it's not a building code, so we can't  
23 tell them that --

24 SECRETARY STACY: Right.

1 MS. LAND: -- that is really ugly. But if  
2 it comes into the category of being a building, then  
3 they are still allowed.

4 SECRETARY STACY: Okay.

5 MS. LAND: We can't regulate aesthetics.

6 SECRETARY STACY: Okay. But setbacks --

7 MS. LAND: Making sure they are set back.  
8 They have the proper, you know, amount of yard space.  
9 They aren't covering more of the lot than they are  
10 allowed to cover, and they don't get higher than  
11 they're allowed to be in that area. All of that still  
12 counts. But it's just their building material that  
13 they're choosing.

14 MR. CORDONNIER: In the City, anything over  
15 50 square feet, whether as a permanent foundation or  
16 not, is an accessory structure.

17 MR. EVANS: Which means it's regulated.

18 MR. CORDONNIER: So if you go to Menard's  
19 and you buy a shed, even though it's not on a  
20 permanent foundation, most are larger than 50 square  
21 feet.

22 MS. LAND: Marion Township does, too. It  
23 doesn't matter if it's on skids or if it's on -- or if  
24 it's on a block foundation.

1 (Interruption.)

2 MS. LAND: Is there another door?

3 But that's something we'll revisit when we  
4 get to it.

5 SECRETARY STACY: Okay. Good.

6 MS. LAND: So you want to leave this as is?

7 MR. EVANS: I don't have any reason to  
8 change it.

9 MS. PARGEON: Yeah.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MR. EVANS: Moving on. Article 17.

12 Administration and Enforcements.

13 Section 1700. Enforcement.

14 The provisions of this Resolution shall be  
15 administered and enforced by the zoning inspector, or  
16 by such deputies of his department as the zoning  
17 inspector may delegate to enforce the provisions of  
18 this Resolution.

19 MS. LAND: Let's hope you don't get to the  
20 point where you need a zoning inspector and deputies.

21 MR. EVANS: Deputies sounds scary.

22 CHAIRPERSON TIMMERMAN: Do you need to  
23 change that from his/her or anything like that?

24 MS. LAND: No.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: We could use they and them.

3 CHAIRPERSON TIMMERMAN: Yeah. I don't know  
4 how far down that rabbit hole we go.

5 MR. EVANS: Section 1701. Duties of Zoning  
6 Inspector.

7 The zoning inspector shall have the power to  
8 grant Zoning Compliance and Occupancy Certificates to  
9 make inspections of buildings or premises necessary to  
10 carry out his duties in the enforcement of this  
11 Resolution.

12 It shall be unlawful for the zoning  
13 inspector to approve any plans or issue any Zoning  
14 Certificates or Certificates of Occupancy for any  
15 excavation or construction until he has inspected such  
16 plans in detail and found them to conform with this  
17 Resolution.

18 The zoning inspector shall not refuse to  
19 issue a Zoning Certificate when conditions imposed by  
20 this Resolution are complied with by the applicant,  
21 despite violations of contracts, such as covenants or  
22 private agreements which may occur upon the granting  
23 of said Certificate.

24 MS. LAND: That's what Matt was saying about

1 if the Homeowners Association says you can't have a  
2 fence, but if our rule says you can have a fence and  
3 they apply for it, we don't care about what their  
4 rules are. That's a different layer of somebody to  
5 deal with. We just tell them whether, in our set of  
6 rules, it would be permitted; but we don't trump the  
7 Homeowners Association either. We can give them the  
8 permit, but they can still come after them and tell  
9 them, You can't use it.

10 MR. EVANS: Section 1702. Plot Plan.

11 The zoning inspector shall require that all  
12 applications for Zoning Certificates shall be  
13 accompanied by plans and specifications, including a  
14 plot plan in triplicate, drawn to scale, showing the  
15 following:

16 1. The actual shape, location, and  
17 dimension of the lot.

18 2. The shape, size, and location of all  
19 buildings or other structures to be erected, altered,  
20 or moved, and of any building or other structures  
21 already on the lot.

22 3. The existing and intended use of the lot  
23 and of all such structures upon it, including in  
24 residential areas, the number of dwelling units the

1 building is intended to accommodate.

2 4. Such other information concerning the  
3 lot or adjoining lots as may be essential for  
4 determining whether the provisions of this Resolution  
5 are being observed.

6 SECRETARY STACY: Would this be across the  
7 board regardless of what the district is?

8 MS. LAND: Yes. I think, yeah. That's what  
9 it is now. I mean, that's what it says now. And you  
10 can make a plot plan, something that's necessary for  
11 only particulars areas, if you want.

12 CHAIRPERSON TIMMERMAN: Do you have a  
13 scenario you could come up with?

14 MS. LAND: The thing that worries me about  
15 not having it in every area is, in most of the  
16 districts like Residential, Business, we have a  
17 maximum lot coverage that's permissible. With a plot  
18 plan, we'll figure out if they're going to be  
19 exceeding their maximum coverage.

20 There are some houses in subdivisions that  
21 are so huge that they have a little fringe around  
22 them, you know. And some of the houses in Findlay, in  
23 the old districts, they have, like, just nothing  
24 around them and they're taking up way more than their



1 percentage.

2 We need to make sure that, if it's something  
3 that you're regulating, which it is at this point, you  
4 have to have a way to be able to determine if they are  
5 fitting that regulation and a plot plan would do that.

6 SECRETARY STACY: Okay.

7 CHAIRPERSON TIMMERMAN: We have other  
8 places, and I don't -- I think it may be in Wind and  
9 Solar, and somewhere else where there was, as I  
10 recall, pretty detailed on, like, the plot plan. I  
11 don't know if there's one way to make it concise.

12 MS. LAND: We could say -- well, I don't  
13 think we want to try to add it all in under here.  
14 I would rather add, These apply unless more specific  
15 rules are included in some particular section.

16 You know, like, if you get to Wind and  
17 Solar, and the plot plan stuff they're asking for is  
18 way more in depth than what they're asking for here,  
19 so that would count. We can't just say, Oh, we only  
20 needed this for a plot plan.

21 SECRETARY STACY: Right.

22 MS. LAND: Which people do. That's what our  
23 lawsuit is about with Washington Township. They read  
24 one section and nothing else in the code and decided,

1 This is how we're going to do it, and you can't tell  
2 us you can't because it says in your code that we can  
3 do this. But nothing is read in a vacuum.

4 SECRETARY STACY: Right.

5 MS. LAND: However, attorneys should know  
6 that. Regular, non-legal trained minds may not  
7 understand that when they're reading it. So we want  
8 to put a disclaimer in there that that is how it is  
9 unless some section requires something more specific.

10 CHAIRPERSON TIMMERMAN: Okay.

11 SECRETARY STACY: So we're probably  
12 (unintelligible)..

13 MR. EVANS: Section 1703. Zoning  
14 Certificates.

15 The following shall apply in the issuance of  
16 any Zoning Certificate:

17 1. Zoning Certificates Not To Be Issued.

18 No Zoning Certificate shall be issued for  
19 the erection, alteration, or use of any building or  
20 structure or part thereof, or for the use of any land  
21 which is not in accordance with all provisions of this  
22 Resolution.

23 2. Certificates For New Use Of Land.

24 No land heretofore vacant shall hereafter be

1 used or an existing use of land be hereafter changed  
2 to a use of a different class or type unless a  
3 Certificate of Occupancy is first obtained for the new  
4 or different use.

5 SECRETARY STACY: Are you strangling like  
6 that wording a little bit. I'm not --

7 MS. LAND: You like the "heretofore" and  
8 "hereafter"?

9 SECRETARY STACY: I'm not a fan of that. It  
10 sounds impressive, but it's, like, what did that say?

11 MS. LAND: Yeah. We'll turn this to green,  
12 so I know I need to work with it.

13 MR. EVANS: Keep going?

14 Certificates for New Use of Buildings.

15 No building or structure or part thereof  
16 shall be changed to or occupied by a use of a  
17 different class or type unless a Certificate of  
18 Occupancy is first obtained for the new or different  
19 use.

20 4. Zoning Certificates Required.

21 No building or structure or part thereof  
22 shall be hereafter erected, altered, moved, or  
23 repaired unless a Zoning Certificate shall have been  
24 first issued for such work. The terms "altered" and

1 "repaired" shall include any changes in structural  
2 footprint, type, class, or kind of occupancy, or other  
3 changes affecting or regulated by the Hancock County  
4 or State of Ohio Building Codes or this Resolution,  
5 except for minor repairs or changes not involving any  
6 of the aforesaid features.

7 MS. LAND: Oh, Lord. Who wrote this? I'll  
8 think this through here. I want to add definitions,  
9 if we don't already have them, for "altered" and  
10 "repaired," so that this -- what's in here, we can  
11 make it a little bit more specific. They'll find it  
12 sooner than waiting to get down in here to get it.

13 MR. EVANS: 5. Zoning Certificate  
14 Expiration.

15 Zoning Certificates shall expire at the end  
16 of one year from the date of issuance unless the  
17 construction or use has commenced within that period  
18 of time. Where construction is being diligently  
19 carried on, the zoning inspector may issue one  
20 12-month extension of the expiration date.

21 MS. LAND: That's pretty standard language.

22 SECRETARY STACY: Okay.

23 MR. EVANS: 6. Farm Buildings Excepted.

24 Zoning Certificates shall not be required

1 for barns, sheds, and outbuildings incidental to  
2 Agricultural Uses. Such buildings shall, however,  
3 conform to yard requirements established in Section  
4 1400. Compliance Certificates shall be required for  
5 dwellings accessory to farming operations.

6 SECRETARY STACY: Can you insert grain bins  
7 in there along with barns?

8 MS. LAND: Grain bins?

9 SECRETARY STACY: Uh-huh.

10 MS. LAND: So it would be barns, sheds,  
11 grain bins, and outbuildings?

12 SECRETARY STACY: Yeah.

13 MS. LAND: Okay.

14 SECRETARY STACY: So such buildings,  
15 however, shall conform to yard requirements. So --

16 MS. LAND: Setbacks.

17 SECRETARY STACY: Setbacks. Should we --

18 MS. LAND: Should it say "yard  
19 requirements" --

20 SECRETARY STACY: Setbacks are -- you know,  
21 when you say "yard requirements," it's kind of like,  
22 okay.

23 MS. LAND: It's kind of odd.

24 MR. EVANS: Yeah.

1 MS. LAND: Do you want to add "and setbacks  
2 established in Section 14"? I don't know if 14 is the  
3 proper section or is going to be the proper section  
4 when we get this all numbered, so I'll just make a  
5 note there to make sure we aren't referring to  
6 something that is nonsensical.

7 SECRETARY STACY: Right.

8 MR. EVANS: Keep going?

9 MS. LAND: Whenever you guys are.

10 MR. EVANS: Section 1704. Compliance  
11 Certificate.

12 Although buildings, structures, and uses for  
13 agricultural purposes, public utility purposes, and  
14 essential service purposes are permitted in all use  
15 districts, it shall be unlawful to hereafter erect,  
16 alter, move, change, convert, or enlarge such  
17 buildings or structures until such proposed work has  
18 been determined to comply with all requirements of  
19 this Resolution and a Compliance Certificate has been  
20 issued therefor.

21 MS. LAND: Okay. I think we have to take  
22 out "essential services" because we eliminated that  
23 whole section number. We keep calling these  
24 Compliance Certificates. That's what they call them

1 all of the way through here, and they are -- usually  
2 everybody refers to them as a permit. Zoning Permit.

3 MS. PARGEON: That sounds better.

4 MS. LAND: Do we want to change the language  
5 that we're talking about these anywhere where we're  
6 talking about a Compliance Certificate to be a Zoning  
7 Permit?

8 MS. PARGEON: That sounds better.

9 SECRETARY STACY: I would rather use  
10 "permit."

11 MS. PARGEON: Yeah.

12 CHAIRPERSON TIMMERMAN: I think that's a  
13 term everybody's familiar with.

14 MR. EVANS: Right.

15 MS. LAND: What do they say in the City?

16 MR. CORDONNIER: What's that?

17 MS. LAND: Do they call them Zoning Permits  
18 or Compliance Permits?

19 MR. CORDONNIER: Zoning Permits.

20 MS. LAND: That's what every place else  
21 does, too. I'll make those changes throughout then.

22 MR. EVANS: 2. No Compliance Certificate  
23 shall be issued for a building, structure, land, or  
24 part thereof which is not in accordance with the

1 provisions of this Resolution.

2 3. A record of all Compliance Certificates  
3 issued shall be kept on file in the office of the  
4 zoning inspector, and copies shall be furnished upon  
5 request to any person having a proprietary or tenancy  
6 interest in the property involved.

7 MS. LAND: Okay. We've now referred a  
8 couple of times through here to Certificates of  
9 Occupancy. Are we all clear on what those are?  
10 Different than --

11 MS. PARGEON: People want to go live in  
12 them?

13 SECRETARY STACY: Well, go ahead and -- go  
14 ahead and explain.

15 MS. LAND: Like, you get a permit to -- a  
16 Zoning Permit to build a structure that you're going  
17 to have be a Dollar General. It's going to be a  
18 store.

19 SECRETARY STACY: Okay.

20 MS. LAND: And, then, you go out of  
21 business. Somebody else comes along and they want to  
22 put something in that building, they don't have to get  
23 a Building Permit because they are not changing it,  
24 but they have to get a Certificate of Occupancy so we



1 know that what they're putting in there fits in the  
2 category of what's allowed in that district. So those  
3 are Certificates of Occupancy.

4 MS. PARGEON: Okay.

5 MS. LAND: If something is going to change,  
6 you know, we don't -- it gets confusing. This is  
7 where it gets confusing with the building code stuff  
8 because a lot of places -- we get our Certificate of  
9 Occupancy for, like, our new building we're building  
10 for the County. When the State Zoning Inspector comes  
11 through and says, Yep, it's all good enough for people  
12 to be in.

13 It's a different kind of thing here when we  
14 talk about Certificate of Occupancy. It's for us to  
15 be able to determine that the use that's going to go  
16 on in this building is something that's permitted in  
17 that district.

18 CHAIRPERSON TIMMERMAN: Is it worth having  
19 that in the Definitions?

20 MS. LAND: That's what I was just going to  
21 write down there. I'm going to do those definitions  
22 of "Zoning Permit" and "Certificate of Occupancy."

23 MR. EVANS: I didn't know about that  
24 definition. I only knew about, like, what you said;

1 the building's ready, and you get an okay.

2 MS. LAND: That's not -- the zoning  
3 inspector doesn't have to go in and say, Yeah, you can  
4 live in this building now or use this building now.

5 MR. CORDONNIER: The City does Change of  
6 Use; not Certificate of Occupancy.

7 MS. LAND: Okay.

8 MR. CORDONNIER: But it is confusing  
9 because --

10 SECRETARY STACY: See, I think Change of Use  
11 makes more sense.

12 MS. PARGEON: Yeah.

13 MS. LAND: So Change of Use Permit, since  
14 we're doing Zoning Permit and Change of Use Permit.

15 SECRETARY STACY: Yeah. Because I -- It  
16 defines what it is.

17 MR. EVANS: I always thought Occupancy  
18 Permit meant, Okay, it's all set.

19 MS. LAND: It's safe to be in there. We  
20 don't do that. That's not our thing.

21 SECRETARY STACY: Yeah, I like that --

22 MS. LAND: Okay.

23 SECRETARY STACY: -- other term better.

24 CHAIRPERSON TIMMERMAN: So we don't have

1 anything for a permit for occupancy then?

2 MS. LAND: We don't, no.

3 CHAIRPERSON TIMMERMAN: So it will only be  
4 for a change of use at that point?

5 MS. LAND: Right.

6 CHAIRPERSON TIMMERMAN: That's the only  
7 place where --

8 MS. LAND: Because when they get their  
9 Zoning Permit, that's when we know what they are  
10 planning to use it for. Is it going to be a  
11 residence? Is it going to be a business? That's what  
12 we give them that permit for. That's their initial  
13 one.

14 Now, once they sell it and somebody else is  
15 going to go in there, then we need to know what are  
16 you going to use it for, that's where we get the  
17 Change of Use.

18 CHAIRPERSON TIMMERMAN: Change of Use.

19 SECRETARY STACY: Change of Use.

20 CHAIRPERSON TIMMERMAN: Okay. So the  
21 initial permit is basically the Occupancy Permit?

22 MS. LAND: Yeah.

23 CHAIRPERSON TIMMERMAN: Within reason?

24 MS. LAND: Because we have determined that

1 that's something that's allowed in this particular  
2 district.

3 CHAIRPERSON TIMMERMAN: Then I like Change  
4 of Use.

5 MS. LAND: Now, if we have -- like, if I  
6 build my Dollar General, and, then, I stop wanting to  
7 use it as a Dollar General, and you want to take it  
8 over as a Five & Dime, it's still the same use.  
9 I don't think you have to go through that because it's  
10 not a change. It's still the same kind of business  
11 that's allowed right there.

12 SECRETARY STACY: Uh-huh.

13 MS. LAND: That's something that the zoning  
14 inspector will have to use a little bit of subjective  
15 determining if it's the same kind of thing.

16 SECRETARY STACY: Okay.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MR. EVANS: Section 1705. Footer  
19 Inspection.

20 MR. CORDONNIER: Another confusing one.  
21 This is a pet peeve of mine because -- but go ahead.  
22 Sorry.

23 MR. EVANS: So that property owners may be  
24 protected from potential errors in the location of

1 buildings, the zoning inspector or his representative  
2 shall inspect the excavation for structural footers  
3 before any concrete is installed. It shall be the  
4 responsibility of the property owner to notify the  
5 zoning inspector at least 24 hours prior to pouring  
6 concrete and to provide appropriate evidence of the  
7 location of lot lines. If an inspection has not been  
8 made within 24 hours of the zoning inspector's notice  
9 from the property owner, the inspection shall be  
10 considered approved and pouring of concrete shall  
11 commence -- or may commence.

12 MS. PARGEON: So once they start, they keep  
13 going, huh?

14 MS. LAND: Okay.

15 MS. PARGEON: So if they start pouring  
16 concrete, they can just keep going?

17 MR. CORDONNIER: No. I've worked in  
18 communities with strong building codes, and the footer  
19 inspection is they're watching you pour the footer to  
20 make sure you're doing it technically correct and that  
21 it's structurally sound in doing all this.

22 This, we're just going out and checking to  
23 see if you're putting it in the right place. That's  
24 just kind of like the Certificate of Occupancy; it

1 bleeds over with the building code.

2 MS. LAND: Right. And it's not at all  
3 uncommon for people to show us where they are going to  
4 put something, get their permit. And, then, when they  
5 come to dig their hole, who's going to know? Move it  
6 to where they want it.

7 And, then, when we do find it, if the  
8 building's already built and the footer's already  
9 poured, it's quite an expensive thing for them to  
10 change.

11 This way, the concept is, as soon as they  
12 get the hole dug for where they're going to put the  
13 footers, then our inspector checks. Yep, you're still  
14 within compliance. This is where you're supposed to  
15 be. And, then, it's a whole lot easier to move the  
16 hole than it is to move the foundation.

17 MR. CORDONNIER: Yeah.

18 CHAIRPERSON TIMMERMAN: So it's literally  
19 just making sure you're putting it in the right spot.

20 MR. CORDONNIER: Yeah. There's no technical  
21 review.

22 MS. LAND: And I don't know what we should  
23 call it.

24 MR. CORDONNIER: I know.

1 MS. LAND: Footer inspection is bad. I get  
2 that. I've always sort of cringed because people  
3 think we're telling them they have the right kind of  
4 footer. When people have a basement that cracks, they  
5 come back and say, Well, you said it was okay.

6 MR. CORDONNIER: You did a footer  
7 inspection.

8 MS. LAND: That's not what we do.

9 MR. CORDONNIER: We haven't come up with a  
10 better term.

11 MS. LAND: Thanks.

12 MR. EVANS: I can see the reason for it  
13 because if you have four poles and said that's where  
14 the foundation is going to be, and, then, you came  
15 back a month later and said, Wait. That's pole moved.  
16 Whereas, when the concrete is poured, then, it's  
17 pretty definitive then.

18 And I understand the difference between the  
19 State. When they come, they're going to look at rebar  
20 and look at thickness.

21 MS. LAND: And depth.

22 MR. CORDONNIER: Concrete.

23 MR. EVANS: They could care less where it is  
24 on the property. That's the job of --

1 MS. LAND: Us.

2 MR. EVANS: Yes.

3 FROM THE FLOOR: Can you go footer location?

4 SECRETARY STACY: Well, the first sentence  
5 does say, "...protected from potential errors in the  
6 location of buildings."

7 MS. LAND: That's being polite, like it's an  
8 error because usually it's not.

9 MR. EVANS: Yeah.

10 (Laughter.)

11 MR. CORDONNIER: I do like footer location  
12 inspection.

13 SECRETARY STACY: There you go.

14 MR. CORDONNIER: I think that's helpful.

15 SECRETARY STACY: Say footer location  
16 inspection.

17 MR. EVANS: That makes more sense.

18 SECRETARY STACY: Because that's in your  
19 title.

20 MR. CORDONNIER: It gives a nod a little bit  
21 to what it is.

22 SECRETARY STACY: I think so.

23 MS. LAND: Okay.

24 MR. EVANS: Section 1706. Final Inspection.



1           The holder of every Zoning Certificate and  
2 Compliance Certificate for the construction, erection,  
3 alteration, repair, or moving of any building,  
4 structure, land, or part thereof, shall notify the  
5 zoning inspector immediately upon completion of the  
6 work authorized by such Certificate for final  
7 inspection.

8           Section. 1707.

9           CHAIRPERSON TIMMERMAN: What final  
10 inspection are they doing?

11          MS. LAND: Just that it is completed.  
12 Because your permit expires after a year, unless you  
13 come and ask for an extra 12 months. As soon as it's  
14 done, you need to let them know that so they don't  
15 pull your permit.

16          CHAIRPERSON TIMMERMAN: Okay.

17          MS. LAND: Because if you build something in  
18 a zoned area, once you get your permit, you should  
19 keep that even though the building is all done. It's  
20 not like paperwork you can throw away, like a receipt.  
21 You need to keep that. Like, in a shed, it's a good  
22 idea to, you know, tack it on the wall out in the shed  
23 so it's some place people can find it.

24          CHAIRPERSON TIMMERMAN: Okay.

1 MS. LAND: Some places require you to  
2 display your permit the whole time building is going  
3 on.

4 MR. EVANS: You have to be able to see it  
5 from the road.

6 MS. LAND: But in smaller communities --  
7 it's up to you guys, if you want to do that. But, I  
8 mean, your zoning inspector is going to know if they  
9 issued a permit for what's going on.

10 CHAIRPERSON TIMMERMAN: Right.

11 MR. EVANS: Section 1707. Certificates of  
12 Occupancy.

13 No land, building, or part thereof, shall be  
14 occupied by, or for any use, unless and until a  
15 Certificate of Occupancy shall have been issued for  
16 such use.

17 The following shall apply in the issuance of  
18 any Certificate:

19 1. Certificates Not To Be Issued.

20 No Certificates of Occupancy shall be issued  
21 for any building, structure, or part thereof, or for  
22 the use of any land, which is not in accordance with  
23 all of the provisions of this Resolution.

24 2. Certificates Required.

1           No building or structure, (except farm  
2 buildings) or parts thereof, which is hereafter  
3 erected or altered, shall be occupied or used, or the  
4 same caused to have done, unless and until a  
5 Certificate of Occupancy shall have been issued for  
6 such building structure.

7           MS. LAND: Hold on.

8           MR. EVANS: What did they say?

9           MS. LAND: I don't think anybody does that,  
10 not unless there's a change in use because -- I guess  
11 it should be something that's more in the negative.  
12 If I get a permit to build my Dollar General, and  
13 after I get everything done, I have it all built up  
14 and decide, instead of doing by my little department  
15 story, I end up with -- I don't know -- a bar or an  
16 adult bookstore, or something that is not what was  
17 contemplated for there, then it should be on the  
18 negative that they can stop them from having a purpose  
19 in there. But this really starts to be where it gets  
20 confusing about building codes.

21           SECRETARY STACY: Uh-huh.

22           MR. CORDONNIER: Yeah.

23           MS. LAND: We might need to revamp this  
24 whole section a little bit.

1 SECRETARY STACY: Yeah.

2 MS. LAND: Down at the next section, the  
3 next paragraph is about where it does matter where  
4 there is a change of use.

5 MR. EVANS: Go on?

6 MS. LAND: Yeah.

7 CHAIRPERSON TIMMERMAN: I'm going to pause  
8 for a second.

9 Going back to what you said earlier about  
10 displaying a permit, like, visible from the road. The  
11 only scenario I can come up with is if somebody owns  
12 so much land that you can't see what they're doing out  
13 back, is it useful to have a permit displayed at the  
14 road? And that way -- I don't know that -- you know  
15 what's going on. I don't know.

16 MR. CORDONNIER: People -- I mean, it's  
17 tough. And, like I said, your zoning inspector --  
18 I mean, my goodness.

19 MS. LAND: Most --

20 MR. CORDONNIER: In a township, people know  
21 what's going on.

22 MS. LAND: Most places that have it being  
23 displayed is to stop the neighbors calling and ratting  
24 people out so that they don't have to keep dealing

1 with phone calls and telling them, Yes, they have a  
2 permit. I see the permit.

3 CHAIRPERSON TIMMERMAN: That's fine. Okay.

4 MS. LAND: Not that you have neighbors who  
5 will rat each other out.

6 CHAIRPERSON TIMMERMAN: Just wait.

7 MR. CORDONNIER: I know some townships that  
8 do all the time.

9 MS. LAND: I do, too.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MR. EVANS: 3. Certificates for Existing  
12 Buildings.

13 Certificates of Occupancy shall be issued  
14 for buildings, structures, and parts thereof, or  
15 existing uses of land if, after inspection, it is  
16 found that such buildings, structures, or parts  
17 thereof, or such use of land, are in conformity with  
18 the provisions of this Resolution.

19 MS. LAND: Wait a minute.

20 SECRETARY STACY: We're going to change the  
21 wording.

22 MS. LAND: We want to change that to Change  
23 of Use Permit.

24 SECRETARY STACY: Yes.

1 MR. EVANS: Okay.

2 SECRETARY STACY: Uh-huh.

3 MR. EVANS: 4. Record of Certificates.

4 A record of all Certificates issued shall be  
5 kept on file in the office of the zoning inspector,  
6 and copies shall be furnished upon request to any  
7 person having a proprietary or tenancy issue in the  
8 property involved.

9 MS. LAND: One of the things that has been a  
10 little bit of an issue between the County and the  
11 zoned townships are the zoned townships don't always  
12 send their Building Permits or their Change of  
13 Occupancy Permits to the auditor's office. The  
14 auditor's office is way more capable of picking up new  
15 tax stuff if somebody sends them the permits.  
16 Otherwise, sometimes there are houses built that they  
17 don't know anything about and they aren't getting  
18 taxed.

19 So under the zoning inspector's duties, do  
20 you want to add in there that it's a duty of the  
21 zoning inspector to provide a copy of all Occupancy  
22 Permits and Zoning Permits to the county auditor's  
23 office?

24 CHAIRPERSON TIMMERMAN: I don't think it's a

1 bad idea, but it's another thing for them to do. But  
2 I don't know how often there has been a zoning  
3 inspector before, so I don't know how often you're  
4 going to be sending something in, too.

5 MS. LAND: As long as they send them in by  
6 September of each year in one batch, they're fine.  
7 They don't have to send them every time they do them.

8 Everything that's going to be put on taxes  
9 has to be there by the second Monday in September.  
10 I don't know why. It's a weird arbitrary date. It's  
11 some state-wide thing.

12 CHAIRPERSON TIMMERMAN: The weirder thing is  
13 that you know that.

14 MS. LAND: Lots of little bits of useless  
15 knowledge.

16 MR. CORDONNIER: Just on this. Wouldn't any  
17 of these be public information?

18 MS. LAND: They are. But if they don't know  
19 to ask for it, you don't --

20 MR. CORDONNIER: Well, I'm just saying, this  
21 is any person having a proprietary or tenancy --

22 MS. LAND: I see what you mean.

23 MR. CORDONNIER: I mean, if someone comes up  
24 and asks for any -- for the whole file on a house in

1 the city, we just give them a copy of the whole file.  
2 You know, it's not -- it's public knowledge, would be  
3 my -- public information, if they request it.

4 MS. LAND: Why don't we just stop it with,  
5 "Records are kept in the office of the zoning  
6 inspector."

7 MR. CORDONNIER: Yeah.

8 MS. LAND: They're public records. Public  
9 records have morphed and changed a lot since this was  
10 last drafted. That's probably why that's there.

11 SECRETARY STACY: Okay.

12 MS. LAND: Flew right over my head. Good  
13 catch.

14 MR. EVANS: 5. Certificates for Dwelling  
15 Accessory Buildings.

16 Buildings or structures accessory to  
17 dwellings shall not require separate Certificates of  
18 Occupancy, but may be included in the Certificate of  
19 Occupancy for the dwelling when shown on the plot plan  
20 and when completed at the same time as such dwellings.

21 MS. LAND: Wait a minute. What is --

22 MR. CORDONNIER: I'm just not sure where  
23 they're going with the Certificate of Occupancy. If  
24 you're building an accessory structure, you get a



1 Zoning Permit.

2 MS. LAND: For an accessory structure.

3 MR. CORDONNIER: Yeah.

4 MS. LAND: But not a dwelling.

5 MR. CORDONNIER: But even a dwelling.

6 MS. LAND: Yeah.

7 MR. CORDONNIER: I mean, you get a Zoning  
8 Permit for the house, and, then, when it's being  
9 constructed, you do your footer location inspection,  
10 and, then, there's a final inspection. Now, are they  
11 saying at the end of the final inspection there's a  
12 Certificate of Occupancy? I just -- there --

13 MS. LAND: I don't know.

14 MR. CORDONNIER: They're using Certificate  
15 of Occupancy all over the place here.

16 MS. LAND: And they're getting it too much  
17 like a building code to determine -- we don't care if,  
18 at the end of the two-year period, or one-year, or  
19 whatever it turns out to be for the permit, if, when  
20 you go in the house they don't have their trim up, or  
21 they don't have the floors completely finished. If  
22 it's -- I mean, that's not for us to decide.

23 MR. CORDONNIER: Yeah.

24 SECRETARY STACY: Yeah.

1 MS. LAND: As long as the footprint is  
2 completed by that time, then we are considering the  
3 building permit fine.

4 That's another thing we're going to have to  
5 look at is whether we want to keep that in there or  
6 not. But dwelling accessory buildings, where do we  
7 even allow those?

8 SECRETARY STACY: Yeah.

9 MR. CORDONNIER: Generally not -- I wasn't  
10 here for the residential, but generally --

11 CHAIRPERSON TIMMERMAN: Does dwelling  
12 accessory building mean you're living in an accessory  
13 building?

14 MR. CORDONNIER: Yeah.

15 MS. LAND: We've got more than one place  
16 around the county where people want to live in sheds  
17 out back. They put electricity and some basic  
18 plumbing in there and make it a little house for the  
19 teenager to live in because they can't stand them in  
20 the house. Honestly, that's --

21 MS. PARGEON: I believe it. I believe it.

22 MS. LAND: We've had one of those. Or, you  
23 know, they have small, like, mother-in-law suites that  
24 are a free-standing small building.

1 SECRETARY STACY: True.

2 MS. LAND: This is a -- not something that's  
3 very common or that you really -- there are a lot of  
4 inherent issues with it in a place where there's not  
5 water and sewer. That's one.

6 Because the health department won't let you  
7 have two residences, which that would be on one septic  
8 system. You can't put two septic systems on one lot.

9 So, really, these are just -- we're offering  
10 people something here that is really not able to be  
11 done very easily.

12 You do end up occasionally, though, with  
13 people putting dwelling units inside barns for groom's  
14 quarters, caretaker's quarters. That's considered an  
15 agricultural use and I don't think we can tell them no  
16 there. Also, the housing that's for migrant workers  
17 that have been -- you know, that was determined  
18 probably 30 years ago that that's an agricultural use.

19 SECRETARY STACY: Uh-huh.

20 MS. LAND: So I don't know that you really  
21 need something like this. That's where I went with  
22 that long-winded explanation.

23 SECRETARY STACY: So are you saying we could  
24 strike that whole thing?

1 MS. LAND: I might. Yeah.

2 MR. CORDONNIER: And even if you do allow  
3 it, you just give it a zoning permit.

4 MS. LAND: It's covered under other things,  
5 and there are so many other things to look at other  
6 than just it says here I can have one of these.

7 MS. PARGEON: So you're going to -- how much  
8 are you going to take out of this?

9 MS. LAND: The whole thing. All of 5.

10 CHAIRPERSON TIMMERMAN: Is it worth keeping  
11 that section and doing a -- the only way it's possible  
12 is going through the agricultural deal basically? Or  
13 do you just want to take it out?

14 MS. LAND: No. Do you really want people  
15 doing that?

16 MS. PARGEON: No, just take it out. Just  
17 take it out. 1 through 5.

18 CHAIRPERSON TIMMERMAN: Just No. 5.

19 MS. LAND: It's become a problem in a lot of  
20 townships with the amount of people living in barns.  
21 It's surprising, but it's true.

22 MR. EVANS: 6. Application for  
23 Certificates.

24 Application for Certificates of Occupancy

1 shall be made in writing to the zoning inspector on a  
2 form furnished by that department. Such Certificates  
3 shall be issued within five days after receipt of such  
4 application if it is found that the building or  
5 structure, or part thereof, or the use of land is in  
6 accordance with the provisions of this Resolution.

7 If such Certificate is refused for cause,  
8 the applicant therefore shall be notified of such  
9 refusal and cause thereof within the aforesaid  
10 five-day period.

11 MS. LAND: For heaven's sake. Who wrote  
12 this? It wasn't me.

13 MR. EVANS: It was Abe Lincoln.

14 MS. LAND: They teach us these words in law  
15 school and expect us to think they're okay.

16 MR. CORDONNIER: To me, this goes back to  
17 how are we thinking of Certificate of Occupancy.

18 MS. LAND: Yeah.

19 SECRETARY STACY: Uh-huh.

20 MS. LAND: Do you want to strike it?

21 MS. PARGEON: Yeah.

22 SECRETARY STACY: Works for me. We don't  
23 need it.

24 MS. PARGEON: Less paperwork.

1 MR. EVANS: Section 1708. Fees.

2 Fees for inspection and the issuance of  
3 Certificates, or copies thereof, required or issued  
4 under the provisions of this Resolution may be  
5 collected by the zoning inspector in advance of  
6 issuance.

7 The amount of such fees shall be established  
8 by the township trustees and shall cover the cost of  
9 inspection and supervision resulting from the  
10 enforcement of this Resolution.

11 CHAIRPERSON TIMMERMAN: That sounds  
12 standard.

13 SECRETARY STACY: Are we switching out  
14 "certificates" for "permits"?

15 MS. LAND: Yeah, I think so.

16 The reason that we generally have this be  
17 just a little section here and have it in the hands of  
18 the township trustees is this way they can alter it  
19 annually and review it at their annual end-of-the-year  
20 meeting to see if they have to change any of the fees.  
21 They aren't part of this Resolution. It's set up that  
22 they can set them so we don't have to go through a  
23 whole amending process to change these.

24 CHAIRPERSON TIMMERMAN: Yeah. Makes sense.

1           It's 7:03. In honor of our last meeting, we  
2 can go for another hour, right?

3           MS. LAND: I'm good for whatever you want to  
4 do.

5           MS. PARGEON: That's okay with me.

6           CHAIRPERSON TIMMERMAN: I was joking more  
7 than anything. I assumed Cindy would shoot that down.

8           MS. LAND: No, I can do whatever you need to  
9 do.

10          CHAIRPERSON TIMMERMAN: Where do we want to  
11 be? I mean, there's one, two, three, four, five, six,  
12 seven -- nine pages left basically.

13          The last time, I thought we had, like,  
14 15 minutes and it went for another 45 minutes.  
15 I'm not going to push for it. If people want to.

16          How long is it going to take -- like, last  
17 time, you thought we would get through all of this,  
18 which is fine. And, then, you thought --

19          MS. LAND: It probably would have if we  
20 hadn't wasted so much time on stuff before we got into  
21 the book because we spent -- we did a lot of other  
22 things.

23          CHAIRPERSON TIMMERMAN: Yeah.

24          MS. LAND: That's why we kind of messed that

1 up.

2 CHAIRPERSON TIMMERMAN: Yeah. That's okay.  
3 How long is the map going to take next time?  
4 Because you said --

5 MS. LAND: Not that long.

6 CHAIRPERSON TIMMERMAN: So maybe it's  
7 smarter -- and we -- we're already going to be  
8 covering a few other things out of the book. The  
9 Adult Entertainment that you -- we got to get. I  
10 don't know if there's going to be any Marijuana stuff  
11 that you're going to be gathering.

12 MS. LAND: I'm just going to do one small  
13 section that says, you know, by the -- Pursuant to  
14 Resolution whatever the number is, adopted on the date  
15 they adopted it, Marijuana -- and use that language as  
16 prohibited in Allen Township.

17 CHAIRPERSON TIMMERMAN: So if you don't  
18 think this is going to take that long to finish out  
19 the book, and you don't think the map is going to take  
20 that long, is that one meeting?

21 MS. LAND: I think, yeah. I think it could  
22 be one meeting. The stuff that we have to do here,  
23 like the Severance Clause, that's just standard  
24 boilerplate. Rights and Remedies, each day, a



1 separate offense. Fines. Nuisance, per se.

2 The whole Enforcement Impounding section is  
3 just legal boilerplate. There's not a lot you're  
4 going to be changing. Same way with Invested Right.

5 Interpretation, we can discuss that to see  
6 if there's any of it that's not comfortable for you  
7 guys.

8 Changes in Amendments, that's something  
9 that's covered by statute. You can describe it here a  
10 little bit, but you're not going to get to do a whole  
11 lot of changing. But we do need to learn it, and  
12 that's the whole point of why I think you need to take  
13 more time on it.

14 Board of Zoning Appeals, that's going to  
15 take a little bit more discussion because all the  
16 stuff that needs to be done for zoning, once it's  
17 adopted, gets split up with duties between you, as the  
18 Zoning Commission Board, and the Board of Zoning  
19 Appeals.

20 Chances are, you know, and I've recommended  
21 this with some of the other townships in the past  
22 that, once you get zoning passed, take one or two  
23 members as they're rolling off of the zoning  
24 commission and put them on the Board of Zoning Appeals

1 so you have somebody who has a good knowledge of the  
2 book on each board. And, then, that way, you don't  
3 have one board that's completely cold and not have any  
4 idea what you guys were thinking. And you guys -- you  
5 don't want you guys to not be on the same page because  
6 they can override you.

7 SECRETARY STACY: How many people on the  
8 Board of Zoning Appeals?

9 MS. LAND: Five.

10 SECRETARY STACY: So it's five and five?

11 MS. LAND: Yeah. With the same staggered  
12 terms that are five-year terms eventually. Usually  
13 they do any of the things that are -- the duties that  
14 are interpreting what was being done are you guys.  
15 But the questions of things that are exceptions or  
16 exceptions or, you know, like, variances, I think they  
17 go to the BZA. Don't they? I think they do.

18 CHAIRPERSON TIMMERMAN: I think so.

19 MS. LAND: Or if you guys make a  
20 determination on something on a Conditional Use, then  
21 if you said no to me and I didn't like it, I appeal to  
22 the Board of Zoning Appeals. They can review what you  
23 did and see if you actually followed the rules and, if  
24 you didn't, they can override you and force you to

1 allow a permit.

2 That's why I want somebody on both boards  
3 who has a really good working knowledge of what the  
4 thought process is.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: And what the intent is of the  
7 book. We're trying to make the intent very clear.

8 CHAIRPERSON TIMMERMAN: Right.

9 MS. LAND: But any statute or resolution or  
10 ordinance, no matter how clear you make it, it's going  
11 to be muddied by something.

12 CHAIRPERSON TIMMERMAN: Yeah.

13 MS. LAND: We need somebody to know the --

14 CHAIRPERSON TIMMERMAN: Looks like Matt is  
15 making the official decision that we're done.

16 MS. LAND: He's cutting out.

17 CHAIRPERSON TIMMERMAN: Quickly, before you  
18 take off. Signage. Did you --

19 MR. CORDONNIER: I'll get that to you guys  
20 here. I don't think I'll be able to be here Thursday.  
21 I'm not sure. My wife is traveling all week and that  
22 leaves me with the three boys and the end of the  
23 school year. I think there's a program Thursday  
24 evening --

1 CHAIRPERSON TIMMERMAN: Okay.

2 MR. CORDONNIER: -- that I would need to  
3 attend. But I'll let you know. I meant to let you  
4 know last Thursday.

5 MS. LAND: That's fine.

6 MR. CORDONNIER: My day just flew by.

7 MS. LAND: I figured.

8 MR. CORDONNIER: It was like 5:03 and I'm,  
9 like, well, if I send Cindy an email now --

10 MS. LAND: I won't get it. Yeah.

11 MR. CORDONNIER: -- she won't get it.

12 MS. LAND: That's no big deal.

13 CHAIRPERSON TIMMERMAN: Is that something  
14 that you can get to Cindy before the meeting, as far  
15 as being able to go over it --

16 MR. CORDONNIER: I think so.

17 CHAIRPERSON TIMMERMAN: -- or we cover it?  
18 Okay.

19 MR. CORDONNIER: Cindy, could you send me  
20 your -- like the Word version? Do you have a Word  
21 version of the Sign?

22 MS. LAND: Sort of. I took the PDF and I  
23 converted it with Word. I've spent a lot of time  
24 fixing things that looked funky. I'll make sure that

1 that's as fixed as it can get and send it to you.

2 MR. CORDONNIER: Okay. Or just send me the  
3 funky version and I'll go from there.

4 MS. LAND: All of the Ms are Rs and Ns, by  
5 the way.

6 MR. CORDONNIER: Okay.

7 CHAIRPERSON TIMMERMAN: Good luck, is what  
8 she said.

9 FROM THE FLOOR: Can I ask a question before  
10 you leave?

11 MR. CORDONNIER: Yeah.

12 FROM THE FLOOR: Circling back to ponds, and  
13 we talked about all these things. But in the City of  
14 Findlay, don't you have to have a pond if you have a  
15 parking lot to catch the runoff?

16 MR. CORDONNIER: Yeah.

17 FROM THE FLOOR: And do we need to address  
18 attention -- or detention versus retention on ponds,  
19 especially in I-2, or whatever? I don't know all the  
20 districts.

21 But is that an issue where we need to look  
22 at that? Specifically, what if, say, for example,  
23 there was an industrial entity that was taking water  
24 and flooding it into maybe an existing waterway

1 through their process or something that would then  
2 maybe infringe upon a neighboring property?

3 MS. LAND: That would be riparian water  
4 rights which are surface water issues, and zoning  
5 doesn't really touch much on those. Those get to be  
6 private issues --

7 MR. CORDONNIER: Civil issue. Yeah.

8 MS. LAND: -- about infringing on each other  
9 with your surface water.

10 MR. CORDONNIER: And then, in terms of  
11 drainage, that there's no drainage standards in the  
12 county unless you're subdividing land.

13 And, then, I think some townships are asking  
14 the county engineers to review for drainage, but I'm  
15 not sure what standard they are --

16 MS. LAND: I don't know what they are doing.

17 MR. CORDONNIER: I don't know. So there's  
18 no county-wide -- so if -- there's no county-wide  
19 drainage. So if you had a mega factory come, unless  
20 they're subdividing, they don't have to meet any  
21 drainage standards, where the City has drainage  
22 standards.

23 FROM THE FLOOR: What if it's not  
24 necessarily just drainage water? What if they are,

1 for example, pumping it out of the ground or  
2 otherwise, and, then, using it for whatever their  
3 purpose is, and, then, dumping that into the watershed  
4 back on the surface of the watershed, but it came  
5 from, say, a city tap or even a well?

6 MR. CORDONNIER: I mean, I don't know.

7 MS. LAND: It's still riparian water at that  
8 point. If it starts running off your property on top  
9 of the ground to the neighbor, it's outside our --  
10 it's not something we really deal with with zoning.

11 FROM THE FLOOR: And what if you dig your  
12 own ditch to put it into an existing nature-made  
13 ditch?

14 MR. CORDONNIER: Well, at some point there's  
15 environmental regulations.

16 MS. LAND: That's Soil and Water kind of  
17 stuff and the EPA gets involved.

18 FROM THE FLOOR: So that's not necessarily a  
19 zoning issue?

20 MR. CORDONNIER: I don't know of any --  
21 doesn't mean there's not. But, in general, there's no  
22 industrial facilities that I'm aware of that aren't  
23 connected to water and sewer.

24 FROM THE FLOOR: Well, somebody might want

1 to take a trip over to Township Road 215 because  
2 there's equipment digging ditches right now that's  
3 being used for something. There's no plan for it, but  
4 it's being tied into existing nature-made ditches.

5 MS. PARGEON: Waterways.

6 FROM THE FLOOR: That's happening today.

7 MS. PARGEON: Yes.

8 MS. LAND: I think I would call Soil and  
9 Water and ask them to go look at it.

10 FROM THE FLOOR: We already did. No help.

11 MS. LAND: Really? What did they say?

12 MR. CORDONNIER: Where's 215?

13 MS. PARGEON: Whirlpool Road. Wind  
14 turbines.

15 MR. CORDONNIER: You might call -- I mean,  
16 you might -- I mean, one, you don't have zoning, and  
17 the County has no drainage standards. So you know --

18 CHAIRPERSON TIMMERMAN: Is it a safety  
19 thing, though? I mean, what's going in there because  
20 we're all on wells here. So, at some point, if --

21 MR. CORDONNIER: Well, I mean, we get lots  
22 of calls. I mean, sometimes there's very -- you could  
23 call the city engineer, Jeremy Kalb, and he might know  
24 of what's going on.



1           So we get a lot of calls, What's going on?  
2 And people always, like, They're doing the worst  
3 thing. And it's, like, Oh, no. This is a -- you  
4 know, it's a cleanout of this. You know, you just  
5 don't know.

6           CHAIRPERSON TIMMERMAN: Sure. Sure. Well,  
7 that's -- I think the point right here is we don't  
8 know.

9           MR. CORDONNIER: Yeah.

10          CHAIRPERSON TIMMERMAN: Until it's clear,  
11 there's concern.

12          MR. CORDONNIER: Sure. At the same time,  
13 people have the right to move dirt and do things, even  
14 in zoned townships. You know, just having a dozer out  
15 there doesn't mean you're doing something illegal.

16          CHAIRPERSON TIMMERMAN: For sure.

17          MR. CORDONNIER: So I have no idea what it  
18 is. But, in my experience, I get a lot of upset  
19 people who call, we find out what it is, and it's  
20 usually nothing as bad as what they thought it could  
21 be. That's just my experience.

22          CHAIRPERSON TIMMERMAN: It's human nature --

23          MR. CORDONNIER: It is. And when it's  
24 happening to your house --

1 CHAIRPERSON TIMMERMAN: -- to anticipate the  
2 worst.

3 MR. CORDONNIER: -- they're even more  
4 sensitive. I would call Jeremy Kalb. He might be  
5 able to give you some information.

6 FROM THE FLOOR: Okay.

7 MR. CORDONNIER: All right. But in terms of  
8 the detention ponds, at this point, I don't see --  
9 like, for Sheetz, we asked them to meet the City of  
10 Findlay standards voluntarily for drainage, but they  
11 didn't have to.

12 FROM THE FLOOR: Even though they're being  
13 annexed?

14 MR. CORDONNIER: Oh, yeah. Sorry. That's  
15 not a good -- those things -- but my point is, you  
16 know, something -- it's a pet peeve of mine. We grill  
17 every home being built for their drainage. But a  
18 250-acre factory with 700 parking spots has zero  
19 drainage regulations. But a 2,000-square-foot home,  
20 we will get ya.

21 So if you're not subdividing land, there's  
22 no drainage standards in the county. If you subdivide  
23 and make a subdivision, there are drainage standards  
24 in the Subdivision Regulations. So that's just --

1 I don't know that a lot of people understand that.  
2 And when -- we're going off on a tangent.

3 SECRETARY STACY: It's useful.

4 MR. CORDONNIER: So I don't know the  
5 township's authority but, you know, it would be more  
6 of a question for Doug Cade, I guess: Can the  
7 township adopt drainage standards? And that may be  
8 a -- who would enforce it? I don't know. That's a  
9 whole --

10 MS. LAND: It depends. I guess, if the new  
11 ditches that are being built and draining into an  
12 existing ditch on the right-of-way, if it's going to  
13 cause the county -- the township problems, I think  
14 they do have an ability to do something about it  
15 because their entire function is to make sure that  
16 there are roads that are well-drained.

17 MR. CORDONNIER: Yeah.

18 MS. LAND: There's no other water over them  
19 and they're not dangerous. That's the only thing --  
20 actually in township statute, that's the only thing  
21 they have to do is roads.

22 MR. CORDONNIER: I mean, the City's -- the  
23 idea is to slow down the water to get it to the river.  
24 So you have 100 acres as a farm field, untilled, it

1 percolates X amount of water.

2           You, then, build a factory. You know, that  
3 detention pond, the water goes quickly to the pond,  
4 and, then, goes out slowly so it doesn't all hit the  
5 river quickly. It drains it out over a 24- to 36-hour  
6 period.

7           But that's just a lot of stuff. But I don't  
8 think we have to worry about detention ponds. I mean,  
9 most factories or bigger things would build them  
10 automatically because they have to meet EPA.

11           Normally detention ponds would be built  
12 because there's EPA water quality standards that  
13 require a detention pond for the settling of the  
14 items. So -- but it won't be nearly as big as what  
15 the drainage standards would say. I'm getting way out  
16 of my expertise.

17           SECRETARY STACY: Thank you.

18           CHAIRPERSON TIMMERMAN: Have a good evening.

19           MR. CORDONNIER: Yeah.

20           SECRETARY STACY: What is this  
21 (unintelligible) going to color? I have regular  
22 pencils. Do we have colored pencils? Do we want  
23 markers? What do I want to have here?

24           MS. LAND: Whatever you're comfortable

1 using. We may need to be moving things and changing  
2 things.

3 SECRETARY STACY: I'm guessing we're going  
4 to need to lay it out on the table.

5 CHAIRPERSON TIMMERMAN: Uh-huh.

6 MS. LAND: Before you start drawing on it,  
7 maybe use Post-It Notes or something to show the  
8 areas --

9 SECRETARY STACY: Yeah. Yeah.

10 MS. LAND: -- and then draw it in.

11 SECRETARY STACY: Okay. I'll make sure I  
12 bring --

13 MS. LAND: I kind of wish we had a big  
14 laminated one so we can draw on it like a dry-erase  
15 board.

16 MR. EVANS: Hopefully it will have a scale  
17 because that's one thing -- that one doesn't have a  
18 scale. Hopefully it will have a scale so we can --

19 MS. LAND: The map is in there. I don't  
20 know if it does or not.

21 SECRETARY STACY: There's three separate  
22 ones and I have them on foam board --

23 MR. EVANS: Uh-huh.

24 SECRETARY STACY: -- if you want to look at

1 them.

2 MR. EVANS: I'm just curious. It would help  
3 to have a scale because when we start talking about  
4 things need to be 1,000 feet apart, I'd like to know  
5 what's 1,000 feet on a map.

6 CHAIRPERSON TIMMERMAN: Right. Based on the  
7 8 and a half by 11, there is a scale at the bottom.  
8 Hopefully those do as well.

9 Do we want to open up for questions? I  
10 think they've already probably hit them.

11 Anybody have any questions that haven't been  
12 brought up?

13 MS. PARGEON: We're glad you came.

14 CHAIRPERSON TIMMERMAN: Yes. Okay. Next  
15 time we will finish up the book hopefully. There's  
16 not too many pages left. And, then, hopefully look at  
17 the map.

18 MS. LAND: I won't be able, for this  
19 Thursday, to have all those sections that we've  
20 already gone through ready for you guys to review with  
21 the lines and the red and all that.

22 CHAIRPERSON TIMMERMAN: Yeah.

23 MS. LAND: I've got a brief due on the other  
24 Washington Township stuff by Thursday, so I'm going to

1 not be able to put a ton of time into getting anything  
2 else together for this for Thursday.

3 CHAIRPERSON TIMMERMAN: So what do you  
4 propose at that point? When would you think you would  
5 have it done at that point?

6 MS. LAND: Probably by that next Monday  
7 meeting.

8 CHAIRPERSON TIMMERMAN: Next Monday?

9 MS. LAND: Yeah.

10 CHAIRPERSON TIMMERMAN: And, then, what will  
11 that meeting consist of at that point, if we get  
12 through the map? Is it going to -- hand out the  
13 booklet and then adjourn, or do we start going through  
14 it just as is?

15 MS. LAND: Maybe just start going through it  
16 and see if there's anything that we already have dealt  
17 with that we know how it's going to be changed. And,  
18 then --

19 CHAIRPERSON TIMMERMAN: So that would be the  
20 20th?

21 MS. LAND: Uh-huh.

22 CHAIRPERSON TIMMERMAN: And, then, we would  
23 start going through it and finish going through it on  
24 the 23rd?

1 MS. LAND: If we can't get all the way  
2 through it, there's not a lot -- we're not going to  
3 have to read the whole thing again.

4 CHAIRPERSON TIMMERMAN: It's just looking --

5 MS. LAND: We're just going to have to skim  
6 through where the changes are. And I'm going to give  
7 you guys copies that have line outs and red changes.

8 CHAIRPERSON TIMMERMAN: You think there's a  
9 chance that you would get done on the 20th even?

10 MS. LAND: Maybe. Especially if we're  
11 willing to push for a little while and stay a little  
12 longer.

13 CHAIRPERSON TIMMERMAN: A little longer  
14 meeting, if necessary.

15 MS. LAND: To be able to get it done.

16 CHAIRPERSON TIMMERMAN: Okay. Might be a  
17 good way to handle it. Okay.

18 Anything else to discuss?

19 (No response.)

20 SECRETARY STACY: Do you want to --

21 CHAIRPERSON TIMMERMAN: Do it, Deb.

22 SECRETARY STACY: I'll take a motion to  
23 adjourn.

24 MS. PARGEON: I'll second it.



1 CHAIRPERSON TIMMERMAN: No. Somebody's got  
2 to make the motion.

3 SECRETARY STACY: I need someone to make a  
4 motion.

5 MS. PARGEON: I make a motion that we  
6 adjourn the meeting.

7 SECRETARY STACY: Thank you. I need a  
8 second.

9 MR. EVANS: I'll second.

10 SECRETARY STACY: Don't fight.

11 Everyone in agreement say "Yes."

12 (Vote taken.)

13 SECRETARY STACY: Motion passed. We are  
14 adjourned.

15 - - -

16 And, thereupon, the proceedings were  
17 concluded at 7:22 p.m.

18 - - -

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24

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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, May 16, 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

16                           - - -

17

18

19

20

21

22                           ANDERSON REPORTING SERVICES, INC.

23                           3040 Riverside Drive, Suite 125

24                           Columbus, Ohio 43221

                         (614) 326-0177



1 APPEARANCES:

2 CINDY LAND, Attorney at Law  
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9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson  
13 Deb Stacy, Secretary  
14 Dave Evans  
15 Clara Pargeon

16 - - -

1 THURSDAY EVENING SESSION  
2 May 16, 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 16th day of  
8 May, 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: All right. It's  
14 5:00. We'll call the meeting to order.

15 Roll call first.

16 Dave Evans.

17 MR. EVANS: Here.

18 CHAIRPERSON TIMMERMAN: Clara Pargeon.

19 MS. PARGEON: Here.

20 CHAIRPERSON TIMMERMAN: Darrin Rehus.

21 Not here.

22 Deb Stacy.

23 SECRETARY STACY: Here.

24 CHAIRPERSON TIMMERMAN: John Timmerman,  
here.

1 SECRETARY STACY: Okay.

2 Allen Township Zoning Commission May 13th,  
3 2024. Attendance: Dave Evans, Clara Pargeon, Deb  
4 Stacy, John Timmerman. Darrin Rehus was absent.

5 Deb Stacy, Allen Township Zoning Commission  
6 Secretary, read the May 9th, 2024, minutes.

7 Motion 24-04-25M. John Timmerman moved to  
8 approve the Allen Township Zoning Commission minutes  
9 from the May 9th, 2004, meeting. Dave Evans moved to  
10 second the motion. Motion passed.

11 The Allen Township Zoning Commission  
12 reviewed Artificial Ponds, Borrow Puts, and the duties  
13 of the zoning inspector.

14 John Timmerman, Allen Township Zoning  
15 Commission Chairman, asked for input from guests  
16 several times during the meeting. Numerous responses  
17 were given back to the commission.

18 The next zoning commission meeting will be  
19 on May 16th at 5:00. Topics will include the duties  
20 of the Board of Zoning Appeals. Work will also be  
21 done on the maps to determine the location of the  
22 proposed districts.

23 Motion 24-04-26M. Clara Pargeon moved to  
24 adjourn the meeting. Dave Evans seconded the motion.

1 Motion passed.

2 So can I have a motion to approve the  
3 May 13th minutes?

4 MS. PARGEON: I make a motion that we  
5 approved the minutes.

6 SECRETARY STACY: All right. There's Clara.  
7 I need a second.

8 MR. EVANS: I'll second it.

9 SECRETARY STACY: Dave seconded. Everyone  
10 in agreement, say "Yes."

11 (Vote taken.)

12 SECRETARY STACY: Motion passed.

13 Okay. You're signing. All right.

14 CHAIRPERSON TIMMERMAN: Any handouts this  
15 week?

16 MS. LAND: No. I had my head completely in  
17 Washington Township all week and I have nothing new  
18 for you.

19 CHAIRPERSON TIMMERMAN: Matt get anything to  
20 you with signage stuff?

21 MS. LAND: I've heard nothing. I checked  
22 early this afternoon, and, then, I didn't have any new  
23 emails when I shut my computer off. If it came after  
24 I left at 4:15. I can't check it here; I have no

1 connectivity.

2 CHAIRPERSON TIMMERMAN: Perfect. I guess  
3 we'll dive right into Board of Zoning Appeals then.

4 Page 67.

5 MR. EVANS: Article 18. Board of Zoning  
6 Appeals.

7 Section 1800. Creation and Membership.

8 The Board of Zoning Appeals, hereinafter  
9 referred to as "the board," shall be established. The  
10 board shall consist of five members appointed by the  
11 board of township trustees. All Board of Zoning  
12 Appeals members shall be residents of the  
13 unincorporated area of Allen Township.

14 The terms of each member shall be five years  
15 beginning January 1st, except that the terms of the  
16 original members shall be of such length and so range  
17 that the term of the one member will expire each year.  
18 All members shall serve until their successors are  
19 appointed and qualified vacancies shall be filled by  
20 the board of township trustees and shall be for the  
21 unexpired term.

22 MS. LAND: That's statutorily created and  
23 it's basically the same structure as your board.

24 CHAIRPERSON TIMMERMAN: Uh-huh.

1 SECRETARY STACY: Okay. If you change the  
2 "be" to "by." Filled by, not filled be.

3 MR. EVANS: I must have missed that.

4 MS. LAND: Where? Oh, I see it.

5 SECRETARY STACY: He's a good context  
6 reader.

7 MR. EVANS: I don't know about that.

8 Section 1801. Organization of the Board.

9 1. The board shall, within ten days after  
10 appointment, meet and organize by electing chairman, a  
11 vice chairman, and secretary from their membership.

12 All meetings of the board shall be held at  
13 the call of the chairman, or on the written request to  
14 the chairman of two members of the board, and at such  
15 time and places as the chairman may determine.

16 The chairman, or in his absence, the vice  
17 chairman, may administer oaths and require the  
18 attendance of the witnesses. All meetings of the  
19 board shall comply with the requirements of State of  
20 Ohio Open Meeting Laws.

21 2. The board shall keep minutes of its  
22 proceedings showing the vote of each member on each  
23 question, or if absent, or failing to vote, indicating  
24 such fact and shall also keep records of its

1 examination and other official actions.

2           The board shall adopt its own rules of  
3 procedure. Each order, requirement, decision, or  
4 determination of the board shall be filed in the  
5 office of the township clerk and shall be a public  
6 record.

7           In the performance of its duties, the board  
8 may incur such expenditures as shall be authorized by  
9 township trustees. A majority of the members of the  
10 board shall constitute (sic) a quorum; but no action  
11 of said board shall be official unless such action be  
12 taken or authorized by a majority of the membership of  
13 the board.

14           Section 1802. Jurisdiction.

15           The Board of Zoning Appeals shall have the  
16 following duties as responsibilities:

17           1. Appeal. The board shall hear appeals  
18 from any order, requirement, decision, or  
19 determination made by the administrative official  
20 charged with the enforcement of the Zoning Resolution.  
21 Such appeal shall be taken within such time as shall  
22 be prescribed by the board in its rules, and by filing  
23 with the zoning inspector a Notice of Appeal  
24 specifying the grounds thereof. The zoning inspector

1 shall transmit to the board all facts and  
2 constituting (sic) the record on which the action of  
3 appeal is taken.

4 Any appeal shall stay -- oh. An appeal  
5 shall stay all proceedings in furtherance of the  
6 action of appeal unless the zoning officer from whom  
7 the appeal is taken certifies to the board, after the  
8 Notice of Appeal is filed with him or her, that by  
9 reason of the facts stated in the certificate, a stay  
10 would cause imminent peril to life or property.

11 MS. LAND: Okay. There's a lot going on  
12 there. Do you guys get what they're saying?

13 SECRETARY STACY: When they say "shall  
14 stay," what --

15 MS. LAND: "Stay" means stop any action;  
16 that the order that was given can't be carried out  
17 during the time that there's an appeal. So it's  
18 stayed. It's a legal term.

19 But they have an exception in here that, if  
20 zoning inspector certifies to the Board of Zoning  
21 Appeals that by not doing something during the time  
22 that an appeal is pending that could cause danger to  
23 somebody, that we still go ahead and do it, and, then,  
24 if we lose we make it right later.



1           An example would be, if somebody puts a pond  
2 right on the edge of a road. Or if -- I don't know.  
3 There's a lot of things. The situations will present  
4 themselves, and you'll go, Oh, yeah. That's where  
5 somebody could be damaged if we don't stop this  
6 immediately.

7           CHAIRPERSON TIMMERMAN: Okay.

8           MS. PARGEON: Backing out on a main highway.

9           MS. LAND: Yeah.

10          MR. EVANS: In such case, no stay shall be  
11 had unless a restraining order to that effect shall be  
12 issued by the Court of Common Pleas of Hancock County,  
13 Ohio, after due notice given to the zoning officer  
14 from whom the appeal is taken and for good cause  
15 shown.

16          The board shall fix a time for the hearing  
17 of an appeal and give not less than ten days' notice  
18 thereof to the parties, in accordance with its rules  
19 of procedure and decide the same within a reasonable  
20 time. At the hearing, any party may appear in person,  
21 or by agent or attorney. The board may reverse,  
22 affirm, or modify the order, requirement, decision, or  
23 determination as in its opinion shall seem just and  
24 fair, and to that end, the board shall have all the

1 powers of the officers from whom the appeal is taken.

2 2. Variances.

3 A variance is a modification of the literal  
4 provisions of this zoning code granted when strict  
5 enforcement of the code would cause undue hardship  
6 owing to circumstances unique to the individual  
7 property on which the variance is granted.

8 The crucial points of variance are: (a)  
9 Undue hardship, and (b) unique circumstances applying  
10 to the property. A variance is not justified unless  
11 both elements are present in the case.

12 MS. LAND: That needs to be modified a  
13 little bit. Statute has in it more now about  
14 variances and specifically those two things, but also  
15 that the hardship can't be self-created and -- there's  
16 another one. Oh, there are -- another one that they  
17 can show that there's no viable economic use for the  
18 property without the variance.

19 You don't have to have all of them but, you  
20 know, they may have -- the hardship may be something  
21 that they could do lots of things on it, but you  
22 couldn't do anything that is -- for example, it's a  
23 really rocky clump with a lot of trees, but it's not a  
24 buildable lot, but it's in agriculture. They can't

1 farm it. There's nothing they can do on it. Then you  
2 might be able to give a variance saying, You can build  
3 a house there. Because there's no viable economic use  
4 for it otherwise. Unless you make it a -- log it or  
5 something, which isn't probably something you want to  
6 do.

7 MR. EVANS: The board shall be permitted to  
8 grant variances as above defined in specific cases  
9 whereby such strict application would result in  
10 practical difficulty or unnecessary hardship that  
11 would deprive an owner of the reasonable use of the  
12 land or building involved. However, in review of a  
13 variance request, no nonconforming use of neighboring  
14 lands, structures, or buildings in the same district  
15 and no permitted use of lands, structures, or  
16 buildings in other districts shall be considered  
17 grounds for the issuance of a variance.

18 Notice of Applications for Variance shall be  
19 provided to all abutting property owners and published  
20 in a newspaper of general circulation at least 14 days  
21 prior to the date of the meeting at which the variance  
22 request will be considered.

23 MS. LAND: I want to check on that 14 days.  
24 I think the statute might say 10. You can make it

1 14, if you want, which is a longer are time. You  
2 could make it less than 10. If you want to keep it  
3 14, then, there's no problem. I won't mess with it.

4 MS. PARGEON: Keep it at 14.

5 MR. EVANS: That's fine.

6 SECRETARY STACY: Uh-huh.

7 MS. LAND: Is there anything else in that  
8 paragraph that -- has any questions or you all  
9 understand exactly what we're talking about. This is  
10 the, "How come they get to do it and I can't"  
11 paragraph.

12 CHAIRPERSON TIMMERMAN: Right.

13 MR. EVANS: A. Granting of Variances.

14 No variance from the strict application of  
15 the standards of this ordinance shall be granted by  
16 the Board of Appeal unless and until the applicant  
17 demonstrates to the board's satisfaction all of the  
18 following:

19 1. Conditions and Circumstances.

20 That special conditions and circumstances  
21 exist which are peculiar to the land, structure, or  
22 building involved, and which are not applicable to  
23 other lands, structures, or buildings in the same  
24 district.

1           2. Property Rights.

2           That the literal interpretation of the  
3 provisions of this ordinance --

4           MS. LAND: It shouldn't be "ordinance"  
5 because you guys don't have ordinance. It would be  
6 Resolution.

7           MR. EVANS: Want me to start saying  
8 "resolution"?

9           MS. LAND: I'll just change them all, but  
10 you can read "ordinance" now.

11           MR. EVANS: Okay. Would deprive the  
12 applicant of property rights commonly enjoyed by other  
13 properties in the same district under the terms of  
14 this resolution.

15           3. Applicant Not at Fault.

16           That the special conditions and  
17 circumstances do not result from the actions of the  
18 applicant, his agents, or prior property owners.

19           4. Harmony With Locality.

20           That the variance requested shall not alter  
21 the essential character of the locality nor  
22 substantially or permanently impair their appropriate  
23 use or the development of adjacent property.

24           CHAIRPERSON TIMMERMAN: I'm going to pause

1 you there.

2           Going back up to the previous paragraph. At  
3 the end, it says, "Notice of applications for a  
4 variance shall be provided to all abutting property  
5 owners and published in the newspaper of general  
6 circulation at least 14 days prior to the date of the  
7 meeting at which the variance request will be  
8 considered."

9           Who does that?

10           MS. LAND: The zoning inspector usually.

11           CHAIRPERSON TIMMERMAN: Okay.

12           MS. LAND: Yeah.

13           CHAIRPERSON TIMMERMAN: It just wasn't  
14 spelled out, so I didn't know what -- somewhere else  
15 we said that the land -- the property owner would.

16           MS. LAND: Yeah. This one, it has to be the  
17 zoning inspector because it's our responsibility to  
18 make sure that notice goes. You leave it on the --  
19 it's a Sunshine Law thing. We don't ever want to  
20 leave the requirements for Sunshine Law to somebody  
21 else. You want to make sure you have control of  
22 those.

23           CHAIRPERSON TIMMERMAN: Okay.

24           MR. EVANS: B. Required Findings for

1 Issuance of Variances.

2 1. In request for variances, the burden of  
3 all required proofs shall be on the applicant. Prior  
4 to approving any requested variance, the Board of  
5 Appeals shall make a determination that the reasons  
6 set forth in the application are valid and do justify  
7 the granting of the variance. The board shall also  
8 determine if the variance is the minimum variance  
9 necessary to make possible the reasonable use of the  
10 land, building, or structure. The board's minutes  
11 shall include the basis on which the board justifies  
12 the granting of any variance.

13 MS. LAND: The bottom line is, whenever you  
14 guys make a decision on a Conditional Use, or this  
15 group makes a decision on a variance kind of request,  
16 you have to have a very good paper trail and a  
17 thought -- and thought process for why you said yes or  
18 no.

19 It doesn't mean you have to actually discuss  
20 it extensively. I mean, if, you know, you're also  
21 sitting here, and John decides, I think it's no  
22 because of this, this, and this, and they all say  
23 Yeah, that's good enough.

24 There's no rule that says you have to debate

1 it. But you guys are all debating it in your own  
2 heads, so, then -- but if somebody disagreed with you,  
3 then the debate happens. Always make sure: Paper  
4 trail. Paper trail. Paper trail.

5 MR. EVANS: 2. Under no circumstances shall  
6 the Board of Appeals grant a variance which will  
7 permit a use which is not permitted in the district in  
8 which the property is located. Further, the board  
9 shall not have the authority to override or grant  
10 variances to decisions and requirements imposed by the  
11 township zoning commission in the Site Plan Review  
12 Process.

13 C. Conditions.

14 The Board of Zoning Appeals may prescribe  
15 appropriate conditions and safeguards as it may  
16 determine necessary to protect the value and utility  
17 of properties adjoining those involved in variance --  
18 in variance requests. Failure to adhere to such  
19 conditions and safeguards shall be a violation of this  
20 resolution. In prescribing conditions, the board  
21 shall, to the greatest extent possible, attach  
22 only those conditions which are visible from a  
23 building's exterior and are, therefore, enforceable by  
24 the zoning inspector.



1           D. When a variance from the strict  
2 application of the terms of this Resolution has been  
3 approved by the Board of Zoning Appeals, the zoning  
4 inspector may issue a zoning certificate. If an  
5 applicant fails to secure the zoning certificate and  
6 complete construction within one year of the date of  
7 approval of a variance, such variance shall expire.  
8 If it deems such measure to be appropriate in a  
9 specific case, the Board of Zoning Appeals shall have  
10 the authority to place a more restrictive time limit  
11 than the aforestated one year.

12           MS. LAND: Another attorney word.

13           MR. EVANS: 3. Exceptions and Special  
14 Approvals.

15           SECRETARY STACY: Would certificate be  
16 permanent, or is it a certificate?

17           MS. LAND: It's a -- the variance  
18 certificate is different than a permit.

19           SECRETARY STACY: Okay.

20           MS. LAND: They will get a building  
21 permit -- or a zoning permit. We call it building  
22 permit, but we shouldn't because it starts confusing  
23 the building code thing again.

24           But once a variance is granted, then they

1 get their permit. But if they don't have it  
2 completed, the variance will go away. They lose that.  
3 It's not like the regular permit where they get a year  
4 plus a year if you want to give it to them. This says  
5 only one year.

6 CHAIRPERSON TIMMERMAN: Are they eligible to  
7 reapply for a variance?

8 MS. LAND: They have to go through the  
9 process again, and what if it's no? So you've got to  
10 decide here if you want to make sure that people  
11 have -- you know, set it the same as a zoning permit  
12 that it's one year, it has to be completed. If it's  
13 not, they can apply to have it extended for a year and  
14 it's still the same thing. Then, basically, you're  
15 going to be looking at are they moving forward and it  
16 just took more time than they expected because  
17 everything does these days. And who knows.

18 The other option that you have here is that  
19 you can make it more restrictive; that they have to  
20 have whatever they are doing up and running by six  
21 months or the variance goes away because that's what  
22 that last line says. So you've got to decide. As  
23 it's written now, one year is the max without having  
24 to reapply and go through the process.

1 MS. PARGEON: That should be long enough.

2 MR. EVANS: Yeah, depending on what it is.

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MS. PARGEON: Right.

5 MR. EVANS: That's the big thing.

6 MS. LAND: It's strictly up to you guys to  
7 pick what you want to do.

8 CHAIRPERSON TIMMERMAN: What's the  
9 definition of, I assume it said "completed in the one  
10 year"? Yeah. Complete construction. The final  
11 inspection --

12 MS. LAND: Complete construction applies to  
13 what can be visibly seen from the outside.

14 CHAIRPERSON TIMMERMAN: Visibly seen. Okay.

15 MS. LAND: Because the inside could be --

16 CHAIRPERSON TIMMERMAN: Right.

17 MS. LAND: -- a shell. But zoning variances  
18 have to do with mostly where it's located --

19 CHAIRPERSON TIMMERMAN: Right.

20 MS. LAND: -- on the property. So it's  
21 something that it makes sense it's only the outside  
22 visual. Because you have paragraph up above that says  
23 there aren't going to be any use variances. That's a  
24 good thing. Use variances are bad.

1 CHAIRPERSON TIMMERMAN: I guess my point is,  
2 if it's just visible from the outside, the shell of  
3 the house could be completed within one year, I would  
4 think.

5 MR. EVANS: Unless it's a monster.

6 MS. LAND: It might not be a house either.  
7 It might be something different than that.

8 SECRETARY STACY: Keeping it one year is  
9 less restrictive.

10 MS. LAND: That's more restrictive.

11 SECRETARY STACY: It's more restrictive?

12 MS. LAND: It's less restrictive if they  
13 could get another year because then they would have up  
14 to two years to get it done. It's less restrictive to  
15 them; more restrictive for you.

16 CHAIRPERSON TIMMERMAN: They'd have to apply  
17 for the additional year, though?

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: Typically, right?  
20 At which point you wouldn't have to --

21 MS. LAND: You wouldn't have to go through  
22 the whole hearing process again, though.

23 CHAIRPERSON TIMMERMAN: You have to approve  
24 it, though.

1 MS. LAND: Usually it's up to the zoning  
2 inspector to approve it because they're the ones,  
3 boots on the ground, looking at it. If they see it's  
4 still going along, that's what it is with the regular  
5 permit. The zoning inspector, at the end of that one  
6 year, looks at it and sees it's still diligently  
7 being, you know --

8 CHAIRPERSON TIMMERMAN: Moving forward.

9 MS. LAND: Moving forward, then they can  
10 give him another year. You could have that same kind  
11 of language here, or leave it at one year.

12 CHAIRPERSON TIMMERMAN: Any thoughts?

13 MR. EVANS: Well, it's like you said.  
14 Things are taking longer. The first thing that popped  
15 in my mind is, a couple years ago, garage doors were  
16 hard to come by. You could never think that would be  
17 a case, a scarcity of garage doors. There were a lot  
18 of houses that had either no garage doors or temporary  
19 garage doors. So that's an example of the outside not  
20 being fished to where you think, Okay, they should  
21 easily be able to get a variance because something's  
22 on order.

23 SECRETARY STACY: Right.

24 MS. LAND: So the variance should continue.

1 MR. EVANS: I mean, each case is going to be  
2 different I think as to what it is. What's the cause?  
3 Is it labor? Is it something --

4 CHAIRPERSON TIMMERMAN: I'm okay with  
5 putting in the additional time.

6 SECRETARY STACY: Yeah.

7 MS. PARGEON: Yeah.

8 MS. LAND: That's what you guys want to do?

9 MR. EVANS: Yeah.

10 SECRETARY STACY: Yes.

11 MR. EVANS: Less restrictive.

12 SECRETARY STACY: So the Site Plan Review  
13 process, is that just an evaluation of what the item  
14 is in the district -- designated district that it's  
15 in?

16 MS. LAND: What paragraph are we on?

17 SECRETARY STACY: At the very top.

18 MS. LAND: Okay. I think I'm reading this  
19 to say that, if a site plan that has Conditional Uses  
20 on it come to you guys and you make the site plan say,  
21 This is what you're allowed to do, they can't then  
22 take that and say we want a variance from this to the  
23 Board of Zoning Appeals. They can't play one of you  
24 off the other. They either have to go with a variance

1 and their site plan there, or they have to come to you  
2 guys for a site plan and take the site plan. But they  
3 can't appeal a site plan.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: Unless it's denied, but that's a  
6 different thing. Some of these sound a little harsh  
7 I think. But variances are a slippery slope. And  
8 you've got to -- you're writing a Comprehensive Plan  
9 that's supposed to set out the rules. Variances are  
10 exceptions to the rule, letting somebody do something  
11 that isn't part of what everybody else believed they  
12 are allowed to do.

13 So it has to be pretty strict for why  
14 somebody would get an exception. I hate to use that  
15 word because there are exceptions, too.

16 MR. EVANS: Ready to go?

17 CHAIRPERSON TIMMERMAN: Sure.

18 MR. EVANS: 3. Exceptions and Special  
19 Approvals.

20 To hear and decide in accordance with the  
21 provisions of this Resolution, request for exceptions,  
22 for interpretations of the zoning map, and for  
23 decisions on special approval situations on which this  
24 Resolution specifically authorizes the board to pass.

1 Any exception or special approval shall be subject to  
2 such conditions as the board may require to preserve  
3 and promote the character of the zoning district in  
4 question and otherwise promote the purpose of this  
5 resolution, including the following:

6 A. Interpret the provision of this  
7 Resolution and in such a way to carry out the intent  
8 and purpose of the plan, as shown upon the zoning map  
9 fixing the use districts, accompanying and made part  
10 of this Resolution, where street layout actually on  
11 the ground varies from the street layout as shown on  
12 the map aforesaid.

13 MS. LAND: Heaven's sake.

14 MR. EVANS: B. Permit such modification of  
15 the height and area --

16 SECRETARY STACY: Are you going to --

17 MS. LAND: I'm going to take out the word  
18 "aforesaid." That's just --

19 MR. EVANS: So I don't have to say it  
20 anymore?

21 MS. LAND: Oh, no. You've got to say it  
22 every time and we'll decide if we need it.

23 MR. EVANS: Permit such modification of the  
24 height and area regulations as may be necessary to



1 secure an appropriate improvement of a lot which is of  
2 such shape or so located with relation to surrounding  
3 development or physical characteristics that it cannot  
4 otherwise be appropriately improved without such  
5 modification.

6 MS. LAND: Those kind of things happen  
7 occasionally. Especially when roads get moved and  
8 stuff, you end up with weird little triangular pieces  
9 that are really just not -- and sometimes they're  
10 actually a buildable kind of area, it's just that  
11 they're shaped so peculiarly there's no way, not even  
12 with variances, to allow for setbacks. That would be  
13 an exception situation.

14 MR. EVANS: C. Permit temporary buildings  
15 and uses for periods not to exceed two years in  
16 undeveloped sections of the township and for periods  
17 not to exceed six months in developed sections.

18 SECRETARY STACY: What would be an example?

19 MS. LAND: Somebody who wants to put a  
20 mobile home on their lot while they're building their  
21 home --

22 SECRETARY STACY: Okay.

23 MS. LAND: -- to live in. Or if they want  
24 to put a mobile home or one of the little tiny houses

1 people have for a relative who needs to live with them  
2 for a while. But it's limited to a time period.

3 SECRETARY STACY: Okay.

4 MS. LAND: That's also going to be a bit of  
5 a -- and we found over the years, it's a bit of a  
6 problem because, once they move out, before you know  
7 it, somebody else is moving in, and, then, we have to  
8 go and evict people and make them move out.

9 But it's -- still, not having it creates a  
10 real hardship for people sometimes. Where are you  
11 going to live when -- you have your property. You  
12 have your septic system. You could just put a trailer  
13 on there and live in it while you're building your  
14 house. Who wants to tell people they have to go live  
15 somewhere else while they have that expense there.  
16 It's the least restrictive kind of thing you can do in  
17 your zoning.

18 SECRETARY STACY: Uh-huh.

19 MR. EVANS: D. Permit, upon proper  
20 application, the following character of the temporary  
21 use, not otherwise permitted in any district, not to  
22 exceed 12 months with the granting of 12-month  
23 extensions being permissible: uses which do not  
24 require the erection of any capital improvement of a

1 structural nature.

2 E. Permit the temporary use of a mobile  
3 home for the residential use of an owner during the  
4 period of construction of a permanent, conforming  
5 residential structure on the land. No such temporary  
6 use shall exceed 12 months unless an additional  
7 12-month extension is issued by the board.

8 F. Permit the temporary use of a mobile  
9 home adjacent to an existing dwelling when such mobile  
10 home is to be occupied by a member of the immediate  
11 family for the purposes of giving or receiving care.  
12 Such mobile homes shall not be used as rental units  
13 and shall be located -- and shall be located on the  
14 parcel in compliance with setback requirements  
15 applicable within the zoning district.

16 When the mobile home is no longer occupied  
17 by the immediate family member authorized by the  
18 board, the mobile home shall be removed from the site  
19 within 60 days. Permission to use the mobile home  
20 under this section shall be for an initial 12-month  
21 period, with an additional 12-month extension being  
22 authorized if the board determines that the original  
23 conditions of issuance still exist.

24 The Board of Zoning Appeals, in granting

1 permits for the above temporary uses, shall do so  
2 under the following conditions:

3 1. The granting of the temporary use shall  
4 in no way constitu -- constitute -- I'm sorry. --  
5 shall no way constitute a change in the basic uses  
6 permitted in the district nor on the property wherein  
7 the temporary use is permitted.

8 2. Granting of the temporary use shall be  
9 granted in writing stipulating all conditions as to  
10 time, nature of development permitted and arrangements  
11 for removing the use at the termination of said  
12 Temporary Certificate.

13 3. All setbacks, land coverage, off-street  
14 parking, lighting and other requirements to be  
15 considered in protecting the public health, safety,  
16 peace, morals, comfort, and convenience and general  
17 welfare of the inhabitants of Allen Township shall be  
18 made at the discretion of the Board of Zoning Appeals.

19 4. In classifying uses as not requiring  
20 capital improvement, the Board of Zoning Appeals shall  
21 determine that they are either demountable structures  
22 related to the permitted use of the land; recreation  
23 developments, such as, but not limited to: golf  
24 driving ranges and outdoor archery courts; or

1 structures which do not require foundations, heating  
2 systems, or sanitary connections.

3 MS. LAND: What's demountable?

4 SECRETARY STACY: That's what I was going to  
5 ask.

6 MR. EVANS: Structures. Does that mean it's  
7 not on foundation?

8 MS. PARGEON: It's not permanent.

9 MR. EVANS: Yes, that's kind of how I'd take  
10 it.

11 SECRETARY STACY: I've not heard that word.

12 MR. EVANS: Yeah.

13 MS. LAND: I'll highlight it and get it  
14 checked out. Make sure we can't find some thesaurus  
15 to get into something more useable.

16 MS. PARGEON: They don't -- eventually be  
17 turned into something permanent.

18 MR. EVANS: 5. The use shall be in harmony  
19 with the general character of the district.

20 6. No Temporary Use Certificate shall be  
21 granted without first giving notice to owners of  
22 adjacent property of the time and place of a public  
23 hearing to be held as further provided for in this  
24 Resolution. Further, the Board of Zoning Appeals

1 shall seek the review and recommendation of the zoning  
2 commission prior to the taking of any action.

3 4. In consideration of all appeals and all  
4 proposed variations to this Resolution, the board  
5 shall, before making any variations from the  
6 Resolution in a specific case, first determine that  
7 the proposed variation will not impair or -- shall not  
8 impair an adequate supply of light and air to adjacent  
9 property, or unreasonably increase the congestion in  
10 public streets, or increase the danger of fire or  
11 endanger the public safety, or unreasonably diminish  
12 or impair established property values within the  
13 surrounding area, or in any other respect impair the  
14 public health, safety, comfort, morals or welfare of  
15 the inhabitants of Allen Township.

16 SECRETARY STACY: I was going to say.

17 MR. EVANS: The concurring vote of three  
18 members of the board shall be necessary to reverse any  
19 order, requirements, decision, or determination of the  
20 zoning inspector, or to decide in favor of this  
21 applicant -- or to decide in favor of this applicant  
22 any matter upon which it is authorized by this  
23 Resolution to render a decision.

24 Section 1803. Miscellaneous.

1           No order of the board permitting the  
2 erection of a building shall be valid for a period  
3 longer than one year, unless a Zoning Certificate for  
4 such erection or alteration is obtained within such  
5 period and erection or alteration is started and  
6 proceeds to completion in accordance with the terms of  
7 such certificate.

8           No order of the board permitting a use of a  
9 building or premises shall be valid for a period  
10 longer than one year unless such use is established  
11 within such period; provided, however, that where such  
12 use permitted is dependent upon the erection or  
13 alteration of a building such order shall continue in  
14 force and effect if a Zoning Certificate for said  
15 erection or alteration is obtained within such period  
16 and such erection or alteration is started and  
17 proceeds to completion in accordance with the terms of  
18 such Certificate.

19           Title 19. Changes and Amendments.

20           Wherever the public --

21           MS. STACY: Is it possible to --

22           MS. LAND: Make that a little more  
23 confusing? I could. I'm formally trained in that.

24           It's the same language we were just talking

1 about earlier, you know, that it's -- they have to  
2 start within 12 months. If it looks like they're  
3 going forward, this is just more of a guarantee than  
4 the other one is. I could work on these and make them  
5 similar in language, so that they --

6 SECRETARY STACY: Yeah.

7 MS. LAND: When there's continuity, it's  
8 easier to understand.

9 SECRETARY STACY: Yes.

10 MS. LAND: We'll do it that way.

11 SECRETARY STACY: Thank you.

12 MR. EVANS: Wherever the public necessity,  
13 convenience, general welfare, or good zoning practice  
14 require, the township trustees may by Resolution --  
15 after receipt of recommendation thereon from the  
16 zoning commission, and subject to the procedure  
17 provided by law -- amend, supplement, or change the  
18 regulations, district, boundaries, or classifications  
19 of property now or hereafter established by this  
20 Resolution or amendments thereof.

21 MS. LAND: You know, I'm kind of torn about  
22 leaving this this wordy or just going to that,  
23 "...from time to time Resolution may be amended or  
24 changed pursuant to Ohio Revised Code procedures."



1 Something that simple. Because we're trying to break  
2 down sort of an all-in-one sentence that's a paragraph  
3 what -- how you go about amending, and that's just not  
4 necessary.

5 It's all laid out in the Revised Code. It  
6 has to be followed that way. If we put in here that  
7 it will follow the Revised Code. If it changes in  
8 some manner, you don't have to go back and fix your  
9 book; it still changes with the statute.

10 SECRETARY STACY: Right.

11 MS. LAND: Everybody good.

12 CHAIRPERSON TIMMERMAN: Keep it simple.

13 MS. LAND: I'm rewording it a little bit.

14 SECRETARY STACY: Please.

15 MR. EVANS: Should I wait for a minute or  
16 are you good?

17 MS. LAND: I'm good.

18 MR. EVANS: It shall be the duty of the  
19 commission to submit its recommendations regarding all  
20 applications or proposals for amendments or  
21 supplements to the township trustees.

22 MS. LAND: Yeah. That's part of that will  
23 get into that dumbed-down version I'm going to do.  
24 But once this is in place, it can be amended any time.

1 It you have a comprehensive amendment that sort of  
2 goes through the book and sort of does what we're  
3 doing now and really does some big changes, then it  
4 might have to go back on the ballot.

5 But any changes that are just periodically  
6 just portions here and there, something that needs to  
7 be updated, doesn't need to be voted on again for the  
8 changes. Those zoning changes can be initiated either  
9 by a property owner who comes in and says, I own X  
10 piece of land. It's currently Agriculture, and I want  
11 it to be Industrial.

12 They come in and make an application for a  
13 zoning change. You guys have a hearing -- public --  
14 or Regional Planning has to look at it. You make a  
15 recommendation to the trustees, and, then, the  
16 trustees determine whether it's going to be changed or  
17 not.

18 So there's always that process. And either  
19 by a property owner doing that, or by you guys  
20 initiating it by Resolution saying, We find these  
21 things are not working well and we need to have these  
22 updated. Or the trustees can say, We're finding these  
23 things are a problem. And they do a Resolution and  
24 send it to you guys to get it started. There's a lot

1 of ways zoning can be changed. It's not locked down  
2 and a lot of different people have an avenue towards  
3 trying to get it changed.

4 A property owner could come in and say, I  
5 want this whole section for how you do Adult  
6 Entertainment changed, because, you know, maybe they  
7 want to expand something.

8 SECRETARY STACY: That wouldn't be because  
9 we're prohibiting --

10 MS. LAND: Yeah, we are prohibiting that.  
11 You know what I mean?

12 SECRETARY STACY: Was that a test?

13 MS. LAND: Or they can come in and say they  
14 want to change it, but they are prohibited. But they  
15 are allowed under certain --

16 SECRETARY STACY: Have we learned anything?

17 MR. EVANS: Okay. Don't push it.

18 CHAIRPERSON TIMMERMAN: Okay. Second  
19 paragraph.

20 MR. EVANS: At the time an application for a  
21 change in the Zoning Resolution or Map is filed with  
22 the zoning commission, such application shall be  
23 accompanied by a fee. The amount of such fee shall be  
24 established by the township trustees and shall be

1 sufficient to defray the administrative costs involved  
2 in processing the amendment request.

3 MS. LAND: Again, this has no fee put in  
4 there so it can change over time. I think there have  
5 been some changes in how these kind of notices can go.  
6 I think one has to be published, and, then, the rest  
7 can be on the website, as long as the published one  
8 shows that it's going to be on website kind of thing,  
9 if you have multiple ones.

10 But, like, a small -- these notices have a  
11 certain amount of things that need to go in them. It  
12 will probably cost \$300 of publishing as of right now.  
13 And, you know, it just keeps going up and up and up.

14 We want to make sure that we don't lock them  
15 in, it's \$150 to apply, because you've got to publish  
16 for two separate hearings. So that's something that  
17 the trustees can set at the beginning of each year  
18 what they think the cost should be.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MR. EVANS: Article 20. Interpretation.

21 In the interpretation and application, the  
22 provisions of this Resolution shall be held to a  
23 minute -- shall be held to minimum requirements  
24 adopted proper for the promotion of the public health,

1 morals, safety, comfort, convenience, or general  
2 welfare. It is not intended by this Resolution to  
3 repeal, abrogate, annul, or in any way to impair or  
4 interfere with any existing provision of law or  
5 resolution, or with any rules, regulations, or permits  
6 previously adopted or issued, or which shall be  
7 adopted or issued pursuant to the law related to the  
8 use of buildings or premises; provided, however, that  
9 where this Resolution imposes a greater restriction  
10 than is required by existing resolution or by rules,  
11 regulation or permits, the provisions of this  
12 Resolution shall control.

13 MS. STACY: Again, does it need to be -- is  
14 there any way -- what does abrogate -- I just am not  
15 familiar with that word. Appeal, abrogate, annul.  
16 It's kind of in that flow of thought.

17 MS. LAND: Yeah. To abrogate something to  
18 contraband it. Like, reverse it.

19 SECRETARY STACY: Okay.

20 MR. EVANS: Article 21. Vested Right.

21 Nothing in this Resolution shall be  
22 interpreted or construed to give rise to any permanent  
23 vested rights in the continuation of any particular  
24 use, district, zoning classification, or any

1 permissible activities therein; and, they are hereby  
2 declared to be necessary to the preservation or  
3 protection of public health, safety and welfare.

4 SECRETARY STACY: Can you explain that a  
5 little bit more?

6 MS. LAND: Nobody has a right to -- if they  
7 are currently zoned Agricultural and, at some point,  
8 somebody -- or the plan shows that it should be  
9 changed to have it rezoned to something, they can't  
10 sue you for rezoning it.

11 Now, they could pass a petition and have it  
12 put on to be -- have it go before the electors as to  
13 whether that change stands. But they can't come back  
14 and say, That's what I have. It's my right to have  
15 it. It doesn't vest rights in anybody. It's just  
16 sort of the boilerplate version of saying, This is a  
17 living document that can be changed.

18 MR. EVANS: Article 22. Enforcement,  
19 Penalties and Other Remedies.

20 Section 2200. Violations.

21 Any person, firm, or corporation violating  
22 any of the provisions of this Resolution shall be  
23 guilty of a misdemeanor, and upon conviction thereof,  
24 shall be subject to a fine of not more than \$100.

1 MS. LAND: That's \$100 per day.

2 MR. EVANS: Oh, okay. Per day.

3 Section 2201. Public Nuisance Per Se.

4 Any building or structure which is erected,  
5 altered, or converted, or any use of premises or land  
6 which is begun or changed subsequent to the time of  
7 passage of this Resolution and in violation of any of  
8 the provisions thereof is hereby declared to be a  
9 public nuisance per se, and may be abated by order of  
10 any court of competent jurisdiction.

11 Section 2202.

12 MS. LAND: Everybody okay with that one?

13 When something is a per se law, it means if  
14 it exists, it is a violation. There is no something  
15 had to happen to make it become a violation. If there  
16 are certain things that -- if this fact happens, it is  
17 a violation.

18 Going to the criminal stuff like statutory  
19 rape. It doesn't matter if everybody is happy and  
20 participating in this. If there's an age limit  
21 between those people, per se, it's a crime because of  
22 the facts that exist.

23 And this, again, is a lot of boilerplate  
24 stuff we have to put in there in the event that

1 somebody challenges things and we have our basis  
2 for -- it's just general basis of law that we can use  
3 when we're taken to appeal.

4 SECRETARY STACY: So these would be in every  
5 single Zoning Resolution --

6 MS. LAND: Pretty much.

7 SECRETARY STACY: -- of any township that  
8 would have --

9 MS. LAND: Yeah. And changing them much is  
10 almost impossible.

11 MR. CC: Okay.

12 MS. LAND: It's something you just kind of  
13 have to -- it's the fine print, kind of where we're at  
14 right now is the fine print of the whole Resolution.

15 MR. EVANS: Section 2202. Fines.

16 The owner of any buildings, structure or  
17 premises or part thereof, where any condition in  
18 violation of this Resolution shall exist or shall be  
19 created, and who has assisted knowingly in the  
20 commission of such violation shall be guilty of a  
21 separate offense and upon conviction thereof shall be  
22 liable to the fines herein provided.

23 Section 2203. Each Day A Separate Offense.

24 A separate offense shall be deemed committed



1 upon each day during or when a violation occurs or  
2 continues.

3 MS. LAND: That's why it's \$100 per day.

4 MR. EVANS: Section 2204. Rights and  
5 Remedies Are Cumulative.

6 The rights and remedies provided herein are  
7 cumulative and in addition to any other remedies  
8 provided by law.

9 Severance Clause. Article 23.

10 Sections of this Resolution shall be deemed  
11 to be severable and should any section, paragraph, or  
12 provision hereof be declared by the courts to be  
13 unconstitutional or invalid, such holdings shall not  
14 affect the validity of this Resolution as a whole or  
15 any part hereof, other than the part so declared to be  
16 unconstitutional or invalid.

17 MS. LAND: Then the rest of it is just  
18 the -- when it's adopted, its effective date, the  
19 signature of the trustees once it's passed.

20 You just got all of the way through the  
21 whole book.

22 MS. PARGEON: Yay.

23 MR. EVANS: It's awful quiet right now.

24 MS. LAND: I know. We still have time. We

1 have a lot of tidying work to do, but we've been  
2 through it once.

3 CHAIRPERSON TIMMERMAN: So to the map.

4 MS. LAND: To the map.

5 Oh, before we do the map. In here, there's  
6 a lot of different drawings for things for --

7 CHAIRPERSON TIMMERMAN: Uh-huh.

8 MS. LAND: Do you want me to recreate those  
9 and put those in there? I'll just take the ones that  
10 are here and use them.

11 CHAIRPERSON TIMMERMAN: Like, the parking  
12 lot stuff?

13 MS. LAND: The parking.

14 SECRETARY STACY: Do we need the parking?

15 (Laughter.)

16 SECRETARY STACY: I mean --

17 CHAIRPERSON TIMMERMAN: I would keep it in  
18 there. There's just so many rules. You're saying as  
19 far as getting rid of all of the parking lot stuff or  
20 the drawings?

21 MS. LAND: You don't want to do that.

22 CHAIRPERSON TIMMERMAN: I think having  
23 illustrations of anything --

24 SECRETARY STACY: Yeah.

1 CHAIRPERSON TIMMERMAN: -- it's going to  
2 make it clearer for people.

3 SECRETARY STACY: It just seems kind of  
4 cumbersome. If we need it, we need it.

5 MS. LAND: It's up to you guys. I can put  
6 them in there or not.

7 CHAIRPERSON TIMMERMAN: I'd keep them.

8 MS. PARGEON: Yeah, it's important.

9 SECRETARY STACY: Be on the safe side, I  
10 suppose.

11 MS. PARGEON: Definitely.

12 MS. LAND: You've got to kind of stop and  
13 think about how long we've been going through this  
14 book, how many times we've had to stop and hash out  
15 what we thought something meant. So most people are  
16 going to not have that advantage. They're going to  
17 read the book once and have to be able to see what it  
18 means; so maybe it's a good idea to have them a little  
19 bit more explanation.

20 MS. PARGEON: Yeah.

21 MS. LAND: Some people are visual.

22 CHAIRPERSON TIMMERMAN: Uh-huh.

23 SECRETARY STACY: Yeah. What is your  
24 thought about how we want to handle these? There's

1 three of them. And I don't know if it's a matter of  
2 propping them against the whiteboard or laying them  
3 flat on the table. I don't know what your thoughts  
4 are.

5 MS. LAND: You guys need to be able to work  
6 with them, so you can put them on the table, if you  
7 want to work --

8 SECRETARY STACY: I think we could lay them  
9 flat on the table.

10 CHAIRPERSON TIMMERMAN: Flat for right now.

11 MS. LAND: What are the three versions here?  
12 One is -- that's just empty map, right?

13 SECRETARY STACY: Yeah. This is the Land  
14 Use.

15 CHAIRPERSON TIMMERMAN: Is that Current Land  
16 Use?

17 MS. LAND: Is that Current Land Use?

18 CHAIRPERSON TIMMERMAN: I think so.

19 MS. LAND: Oh, wait a minute.

20 SECRETARY STACY: This is just blank.

21 MS. LAND: That's the one you want to be  
22 drawing on. This is Allen Township Land Use. They're  
23 both Land Use Maps, but they are different.

24 SECRETARY STACY: This is the blank one.

1 This is probably the one.

2 MS. LAND: That's the one you want to be  
3 working with. Put the other two up -- or one of these  
4 because they are exactly the same. This one is color  
5 and one is not.

6 CHAIRPERSON TIMMERMAN: Do we want one of  
7 them here for --

8 MS. LAND: You can if you want. Yeah.  
9 Then, that way, if anybody has questions out there,  
10 you can point to what you're dealing with up on there.

11 CHAIRPERSON TIMMERMAN: Perfect. Do we have  
12 a preference?

13 MS. LAND: Probably the one without the  
14 color on it would be easier to see.

15 SECRETARY STACY: I cleaned out the Post-It  
16 Notes section. I brought a magnifying glass, just in  
17 case. I brought scissors. I got little things. And  
18 I also have a Plat Book of Allen Township.

19 MS. LAND: Did you have --

20 SECRETARY STACY: And the actual -- I  
21 printed off these two. I don't know if this is  
22 helpful or not.

23 MS. LAND: I would like one of those, too.

24 SECRETARY STACY: Yes.

1 MR. EVANS: One for everybody.

2 MS. PARGEON: Thank you.

3 MR. EVANS: Kind of looking at that one,  
4 it's already got the colors on it.

5 CHAIRPERSON TIMMERMAN: I know.

6 MR. EVANS: We almost have to transfer those  
7 colors on here.

8 MS. LAND: Would you rather do your work on  
9 that map, and, then, when it's time to do your Post-It  
10 Note kind of work on that one when it comes time to do  
11 the actual identifying your map, use the blank one?

12 MR. EVANS: I think it would help, only  
13 because you can see where the land is on that.

14 CHAIRPERSON TIMMERMAN: That's fine.

15 MS. LAND: And the parks and stuff.

16 MR. EVANS: And different -- whatever those  
17 orange things are. Commercial.

18 CHAIRPERSON TIMMERMAN: Here?

19 MR. EVANS: Yeah.

20 MS. LAND: Yeah. There's a Legend.

21 So now is the question: Do you want to use  
22 that one or this one? Which works better for you  
23 guys?

24 CHAIRPERSON TIMMERMAN: I like this one

1 better. I'm not sure about that one.

2 MS. LAND: That one more has the photo over  
3 it, right?

4 CHAIRPERSON TIMMERMAN: Yeah.

5 MR. EVANS: Oh, yeah.

6 CHAIRPERSON TIMMERMAN: It's nice you can  
7 tell where the woods is at, people. Do you like that  
8 better or this one better?

9 FROM THE FLOOR: You can see the houses on  
10 that one.

11 MS. LAND: This one.

12 CHAIRPERSON TIMMERMAN: Can you see the  
13 houses? But anywhere there's, like, the yellow,  
14 that's houses here, so it represents the same thing.  
15 Anybody got a preference between the two?

16 SECRETARY STACY: Whatever.

17 CHAIRPERSON TIMMERMAN: Have a preference?

18 MR. EVANS: No.

19 CHAIRPERSON TIMMERMAN: Anybody have a  
20 preference?

21 SECRETARY STACY: I can't find my key.

22 MS. LAND: Your key to the office? Oh, it's  
23 right there. It's up on the shelf.

24 SECRETARY STACY: Oh, thank you. It could

1 bite me, right? Right there.

2 MS. LAND: It's a mom gene. You find stuff.

3 SECRETARY STACY: I made a key.

4 MR. EVANS: Oh, good.

5 SECRETARY STACY: I spent a lot of time on  
6 it.

7 MS. LAND: She did. I watched her.

8 MR. EVANS: What do you want to do? Do you  
9 want to start in a certain area or do you want to  
10 start a certain zoning?

11 CHAIRPERSON TIMMERMAN: I think we've got  
12 our -- we'll simplify it down to five districts. I  
13 know there's more Business and whatnot, and  
14 Industrial. But I think -- I don't know that we --

15 MR. EVANS: Need all that.

16 CHAIRPERSON TIMMERMAN: -- need all this at  
17 this point in time. I think this is more of our  
18 Legend.

19 MR. EVANS: Which it's good that maybe the  
20 -- like, that says "Campground." It's good to tell  
21 that's what that is.

22 SECRETARY STACY: Right. We're concerned  
23 about these. And, of course, like, the Business, we  
24 have three things of business so we could write B-1,



1 B-2, B-3 on a blue.

2 CHAIRPERSON TIMMERMAN: Right. Where to  
3 start?

4 MR. EVANS: Yeah. Like I said, do you want  
5 to start with --

6 CHAIRPERSON TIMMERMAN: I think the whole  
7 thing, in general -- Agricultural is going to fill in  
8 what's left, in my mind.

9 SECRETARY STACY: Right.

10 MS. LAND: You might want to take what was  
11 done the last time and look and see if any of those  
12 are things you want to repeat, or if you want to just  
13 scrap that and start from fresh because the landscape  
14 is quite different than it was 22 years ago for where  
15 things are.

16 CHAIRPERSON TIMMERMAN: Right.

17 SECRETARY STACY: That's what -- 22 years  
18 ago.

19 MR. EVANS: Oh, okay.

20 SECRETARY STACY: And I really don't think  
21 that's too applicable, in my opinion.

22 MS. PARGEON: Not anymore.

23 SECRETARY STACY: Yeah. You can see where  
24 it's at, too. Do we want to start with Industrial?

1 CHAIRPERSON TIMMERMAN: I mean, that's -- to  
2 me, that's the place to start.

3 SECRETARY STACY: And, then, kind of work  
4 backwards?

5 MR. EVANS: Then whatever -- to me, it's  
6 whatever is left over is Agricultural after  
7 Industrial.

8 CHAIRPERSON TIMMERMAN: Right.

9 SECRETARY STACY: Right.

10 MR. EVANS: Industrial, Business Express.

11 SECRETARY STACY: Right.

12 MS. LAND: You need to take out R-2, right?  
13 You don't have that?

14 CHAIRPERSON TIMMERMAN: Correct.

15 SECRETARY STACY: Correct.

16 MS. LAND: And you don't have RE Estate  
17 District?

18 CHAIRPERSON TIMMERMAN: No.

19 MR. EVANS: How many industrials do we have?

20 MS. LAND: Two.

21 SECRETARY STACY: 1 and 2.

22 MS. LAND: General and Light.

23 SECRETARY STACY: Light would be I-1, right?

24 MS. LAND: Yes. And I-2 is General, which

1 we used to call it Heavy Industrial and it made people  
2 uncomfortable. A duck's a duck, no matter what you  
3 call it.

4 MR. EVANS: So this one -- this goes light  
5 gray is Industrial.

6 CHAIRPERSON TIMMERMAN: Down --

7 MR. EVANS: Yeah. So that's basically  
8 Whirlpool.

9 MS. LAND: What's the black area?

10 CHAIRPERSON TIMMERMAN: Findlay I think.

11 MS. LAND: That's corporation?

12 SECRETARY STACY: Uh-huh.

13 CHAIRPERSON TIMMERMAN: I think so.

14 MS. LAND: I think you laid your paper over  
15 the key.

16 MR. EVANS: Yeah. Black is either Van Buren  
17 or --

18 CHAIRPERSON TIMMERMAN: Findlay City.

19 SECRETARY STACY: But it looks different on  
20 the plat book.

21 MR. EVANS: So this is basically Whirlpool.

22 CHAIRPERSON TIMMERMAN: Ball Metal back here  
23 (indicating).

24 MR. EVANS: And (unintelligible) across.

1           SECRETARY STACY: Let's see. This looks  
2 straight. And if you look here, look at this  
3 (indicating).

4           CHAIRPERSON TIMMERMAN: Is that --

5           SECRETARY STACY: So I have the bigger map  
6 that I took it from.

7           CHAIRPERSON TIMMERMAN: You're implying we  
8 have township down in here somewhere --

9           SECRETARY STACY: Well --

10          MR. EVANS: -- off of 212.

11          SECRETARY STACY: Yes, we do. I know we do.

12          MS. LAND: Oh, yeah. There's --

13          SECRETARY STACY: Yeah. A fair bit. More  
14 than what you realize.

15          CHAIRPERSON TIMMERMAN: This here is right  
16 there, and then our township keeps going down into  
17 there (indicating).

18          MS. LAND: No, not too far down because the  
19 township line is at 212, then over to Hillcrest.  
20 There's a section down in here that goes down in, but  
21 it's not your township.

22          CHAIRPERSON TIMMERMAN: What is it then?

23          MS. LAND: I don't know. What is that?

24          CHAIRPERSON TIMMERMAN: Is the -- okay.

1 Let's go here. Is Allen Township the green color?

2 MS. LAND: Yeah.

3 CHAIRPERSON TIMMERMAN: This color kind of  
4 matches over here.

5 MS. LAND: Which is Marion Township?

6 CHAIRPERSON TIMMERMAN: Is that possible  
7 that's Marion Township over there?

8 MS. LAND: No.

9 CHAIRPERSON TIMMERMAN: No.

10 FROM THE FLOOR: If you're talking on the  
11 left there by --

12 CHAIRPERSON TIMMERMAN: We're talking right  
13 here (indicating).

14 MS. LAND: Between 95 and 212. Is that  
15 Liberty Township?

16 FROM THE FLOOR: No.

17 MR. EVANS: Which area are we talking?

18 CHAIRPERSON TIMMERMAN: I thought we were  
19 talking right here.

20 SECRETARY STACY: Yeah. That's Liberty.

21 MS. LAND: Is on the other side of 75.

22 MR. EVANS: Because of the yellow.

23 SECRETARY STACY: Down here. Portage is  
24 right beside us on the west side of Findlay.

1 MR. EVANS: Wonder if that's Marion.

2 MS. LAND: Wonder what might be in there we  
3 could look up and see what it says.

4 SECRETARY STACY: Where is the --

5 MR. EVANS: This one says Church of L.D.S.

6 MS. PARGEON: Latter-day Saints.

7 MR. EVANS: That's on the corner of 95 and  
8 18. There's no church there. I mean, that corner  
9 right there is where Owens is.

10 SECRETARY STACY: Here's 212, so this  
11 appears that --

12 MR. EVANS: Oh, no. I see where that is.  
13 Church of Latter-day Saints. Crystal Avenue. And  
14 where it says 95, that's actually Bigelow. Yeah, so  
15 it's corner of Crystal and Bigelow.

16 MS. LAND: That's Marion. This little  
17 section down in here.

18 MR. EVANS: So it would be just across the  
19 street from there.

20 MS. LAND: Well, because they got gobbled up  
21 --

22 MR. EVANS: That is basically Bigelow  
23 Avenue.

24 MS. PARGEON: When they went and connected

1 other roads around.

2 CHAIRPERSON TIMMERMAN: So if that's Marion,  
3 then this little section right here is probably Marion  
4 as well.

5 MS. LAND: Yeah.

6 MR. EVANS: Because it's kind of gray.

7 CHAIRPERSON TIMMERMAN: Yeah.

8 MR. EVANS: Okay. We go 212 north. Like I  
9 say, that's basically Whirlpool. It seems like  
10 Industrial -- of course, you're going to want on major  
11 road --

12 MS. LAND: Can I look at this?

13 SECRETARY STACY: Uh-huh.

14 MR. EVANS: -- right? How big does it need  
15 to be, I-1 and I-2?

16 CHAIRPERSON TIMMERMAN: Here's my thoughts  
17 on Industrial. Sheetz went here, and it's getting  
18 annexed in. You're putting a new gas station in here  
19 and that's annexed in.

20 SECRETARY STACY: Uh-huh.

21 CHAIRPERSON TIMMERMAN: I feel like Findlay  
22 is trying to annex stuff down in here. So if you --  
23 you know, if Whirlpool, Ball Metal, if those type of  
24 places get annexed, a lot of our tax income is gone.

1 MS. PARGEON: The school goes down the tube.

2 CHAIRPERSON TIMMERMAN: Right. If you can  
3 get industry to happen further north, and it never  
4 gets annexed in, that's tax income towards our school  
5 district. Keeps our area nicer, is my thought  
6 process. So, I mean, I understand that where  
7 Whirlpool currently sits, okay, if you want to make  
8 that I-1, sure. It already is I-1 basically.

9 MS. LAND: Whirlpool and Ball.

10 CHAIRPERSON TIMMERMAN: Right. That area.  
11 If you want to make what is currently being used as  
12 I-1, make it I-1, sure.

13 MS. LAND: That would be --

14 SECRETARY STACY: So you kind of have --  
15 there's the Interstate right there, and here is 220.  
16 So if you look, we do have -- this is very close to  
17 the Interstate on the north edge of the township. So  
18 you have that as an option.

19 I think you also have an option with the  
20 landfill that you already have -- basically this is  
21 industrial. It's not going to follow a neat pattern.  
22 It's a hodgepodge because everyone else has been zoned  
23 for 40, 50, 60 years, and we have not.

24 CHAIRPERSON TIMMERMAN: And I think



1 everybody would agree they don't want their house to  
2 fall into Industrial. To me, that corner, right  
3 there, has the least amount of Residential.

4 MR. EVANS: You're talking up here. So  
5 here --

6 MS. LAND: That's an area that you -- when  
7 you're going to be siting Industrial, you probably  
8 want to make sure they are going to have access to  
9 amenities, like water and sewer.

10 CHAIRPERSON TIMMERMAN: This has water and  
11 gas, this district or this neighborhood does here.

12 MS. LAND: Okay.

13 CHAIRPERSON TIMMERMAN: I am assuming they  
14 have -- they're too small to have septic fields. I'm  
15 assuming you have water, gas, sewer all right here  
16 (indicating).

17 From here, they have easy access to the  
18 Interstate here, and 18 is right there. They would  
19 have to --

20 MS. LAND: What's that purple square right  
21 there?

22 CHAIRPERSON TIMMERMAN: It's Ohio -- it's a  
23 wildlife preserve or whatever. ODNR.

24 MR. EVANS: That's Rock and Roll Road.

1           SECRETARY STACY: But is it really our  
2 responsibility to be concerned about whether they have  
3 utilities if the location makes sense?

4           MS. LAND: No. The question is: Do you  
5 want to actually zone it that way, or do you want to  
6 put that onto your Future Use Plan where you think  
7 that's where it would happen?

8           There's a difference because the Future Use  
9 Plan is more of a tool. It's not actually part of the  
10 Resolution. It's showing where you foresee the  
11 development is going to happen. So if somebody comes  
12 in and asks to rezone that area to Industrial, you  
13 guys look back at the map, going, Yeah. We thought  
14 this might happen, so this is one we'll say okay.

15           If somebody comes and they want to plop it  
16 down right in the middle of the area you thought would  
17 be Residential expansion out of Van Buren, for  
18 example, and they want to do something industrial, you  
19 may be likely to say, We're not going to change that  
20 to Industrial there because the plan looks to us like  
21 it's going to expand out.

22           The orderly development of the township  
23 that's what your goal is. And orderly development  
24 isn't willy-nilly stop plopping stuff places. It's

1 the overall look of what you think it will look like  
2 in 50 years. Which, by the way, almost never works  
3 out like you think, but there's some logical reason  
4 for why you're putting stuff that way; it gives  
5 guidance for what that orderly development would be.

6 CHAIRPERSON TIMMERMAN: So are you smarter  
7 to have -- call it less Industrial area because  
8 there's no -- I don't know. To me, people start  
9 building houses out -- that's your big area that would  
10 affect the least amount of people. You've got like an  
11 area here, but if we say that this is an Industrial  
12 here, or wherever, and, then, you start building  
13 houses out there and that's our future plan.

14 MS. LAND: Where is Home Depot?

15 CHAIRPERSON TIMMERMAN: Right there.

16 MS. LAND: Right. That makes sense. And  
17 around that area could be.

18 CHAIRPERSON TIMMERMAN: It could go right --

19 MR. EVANS: Maybe finish this section off.  
20 There's a residence there, it looks like.

21 SECRETARY STACY: I definitely would try to  
22 do a fair bit of residential through here. I would  
23 keep it closer to the Interstate.

24 MR. EVANS: On 613.

1 MS. LAND: That interchange portion there,  
2 would you want to make that --

3 CHAIRPERSON TIMMERMAN: Expressway.

4 MS. LAND: -- Expressway Services.

5 CHAIRPERSON TIMMERMAN: I'd assume right in  
6 here is going to be that Expressway Services.

7 SECRETARY STACY: This is already red,  
8 Commercial.

9 MR. EVANS: That's the bookstore.

10 SECRETARY STACY: And then, that's Pilot.

11 MS. LAND: That's what?

12 MR. EVANS: The Pilot station.

13 MS. LAND: Which is Expressway, right?

14 SECRETARY STACY: So what you're doing is  
15 you have this; you have this; you have this as a  
16 potential, and you have -- so this could be in there,  
17 too? So you could make it Expressway, or you could  
18 make it B-3, or you could make it Light Industrial.  
19 I think you make an argument for any of those three.

20 MR. EVANS: My thought is Expressway kind of  
21 makes the most sense.

22 CHAIRPERSON TIMMERMAN: I think it makes the  
23 most sense.

24 SECRETARY STACY: Do we want it everywhere,

1 Expressway? You know what I'm saying?

2 CHAIRPERSON TIMMERMAN: I see what you're  
3 saying.

4 MR. EVANS: Right.

5 CHAIRPERSON TIMMERMAN: They don't all have  
6 to be at that point.

7 SECRETARY STACY: Correct.

8 MR. EVANS: This is, like, almost  
9 unbuildable right there (indicating).

10 SECRETARY STACY: And just so you know, just  
11 up the road where the North Baltimore overhead is,  
12 Sheetz is going right here.

13 MR. EVANS: There is a Sheetz going there?

14 SECRETARY STACY: Well, yeah. That's my  
15 understanding because there used to be the Denny's  
16 restaurant a long time ago. And, then, the hotel  
17 thing that was there. That's getting converted and  
18 it's going to be a Sheetz, I've been told.

19 MS. LAND: Two Sheetz that close together?

20 MR. EVANS: Yeah, because one Sheetz is over  
21 here.

22 MS. LAND: They're going to take over.

23 SECRETARY STACY: They're aggressive.

24 MS. LAND: There's another -- where is the

1 racetrack, or whatever it is that's down over there?

2 SECRETARY STACY: Yeah.

3 MS. LAND: And the other Sheetz is just this  
4 way?

5 CHAIRPERSON TIMMERMAN: Right there.

6 SECRETARY STACY: You already have two on  
7 North Baltimore. You know, the two on either side.

8 MR. EVANS: Right.

9 SECRETARY STACY: Filling stations.

10 MR. EVANS: A lot of stuff here.

11 SECRETARY STACY: Yeah.

12 MR. EVANS: This used to be Suburban  
13 Propane, I'm guessing.

14 SECRETARY STACY: I know there is a propane  
15 thing.

16 MR. EVANS: Although it's marked  
17 Residential.

18 CHAIRPERSON TIMMERMAN: You got your use?

19 SECRETARY STACY: That's on down further.

20 MR. EVANS: The Suburban is?

21 SECRETARY STACY: Wait.

22 CHAIRPERSON TIMMERMAN: He's looking at this  
23 one right there. The Suburban -- that's that  
24 residential one.

1 MR. EVANS: Township Road 14.

2 SECRETARY STACY: We are just back a little  
3 bit from Wood County, Bloom Township.

4 CHAIRPERSON TIMMERMAN: Yeah.

5 MS. LAND: Is Bloom Township zoned?

6 SECRETARY STACY: Uh-huh. Completely  
7 surrounded by Bloom Township. Even in Wood County.

8 MS. LAND: Yeah.

9 MR. EVANS: This was probably close to the  
10 storage units.

11 CHAIRPERSON TIMMERMAN: That's that -- they  
12 have that listed as a concrete facility.

13 MR. EVANS: Oh, okay. Yeah.

14 SECRETARY STACY: Yeah. So it already looks  
15 like it's starting to kind of go Commercial, right, in  
16 that corner there?

17 MR. EVANS: Uh-huh.

18 SECRETARY STACY: That triangular piece.

19 MR. EVANS: It's got Expressway access.

20 SECRETARY STACY: Again, the Interstate is  
21 right there. You're not going to want Residential  
22 right along the Interstate.

23 MS. LAND: Are you allowing hotels and  
24 motels in the Expressway Service? We are, right?

1 SECRETARY STACY: Yeah.

2 CHAIRPERSON TIMMERMAN: Yeah.

3 MS. LAND: I don't know if the Allen  
4 Township trustees have adopted one, but they can put  
5 on a bed tax, too, like the 3 percent on -- when you  
6 have hotels develop, you put that on, that's a good  
7 source of revenue as well.

8 CHAIRPERSON TIMMERMAN: Okay.

9 SECRETARY STACY: Okay. Yeah, you could  
10 make it Expressway.

11 MR. EVANS: Yeah. Make it Expressway,  
12 maybe, some of this (indicating).

13 CHAIRPERSON TIMMERMAN: Is that -- I don't  
14 know.

15 SECRETARY STACY: I'm not sure.

16 CHAIRPERSON TIMMERMAN: Are you far enough  
17 away from the -- because it's further up. They got a  
18 strip of land here, before the -- 18 is a little  
19 further up. Do you want to be --

20 MR. EVANS: They stopped showing it.

21 CHAIRPERSON TIMMERMAN: With my logic that I  
22 would keep Industrial away from Findlay. Those  
23 thought processes, I had this area highlighted, this  
24 area highlighted, and that out there highlighted. So



1 we've kind of touched on all three of those at this  
2 point, you know.

3 MS. LAND: You may want to take one and  
4 actually zone it -- one area and zone it the way  
5 your -- as a Light Industrial; and, then, the others,  
6 put on your Future Use Map that you think that they  
7 would be.

8 MR. EVANS: That way you're kind of steering  
9 it to where you'd like it to be and have it fill that  
10 first. And, then, if it fills it -- I mean, I can  
11 kind of picture what you're thinking.

12 MS. LAND: Everything that you put on there  
13 is contingent upon the property owner either wanting  
14 to do it or selling the property to somebody who wants  
15 to do it. If they never do, it never happens. But  
16 it's the only way to really know for sure what's going  
17 to happen. It's the property owners' control.

18 SECRETARY STACY: Uh-huh.

19 MR. EVANS: It's like how much do you want  
20 to make I-1?

21 SECRETARY STACY: We also have to allow for  
22 I-2, correct?

23 MR. EVANS: Uh-huh.

24 CHAIRPERSON TIMMERMAN: Right.

1 I mean, to say, like, that lot is I-1, I  
2 mean, that would be like -- that's same size as Home  
3 Depot. It would be like one business could come in,  
4 you know, provided it would be something like that.  
5 I think you've got to leave a little bit more room  
6 than just one business; so I would come up with a  
7 little area.

8 SECRETARY STACY: So what do you think about  
9 this area right by the Interstate --

10 CHAIRPERSON TIMMERMAN: Uh-huh.

11 SECRETARY STACY: -- 613.

12 MR. EVANS: So, like, Expressway, and, then,  
13 maybe I-1.

14 CHAIRPERSON TIMMERMAN: To Deb's point, it  
15 doesn't have to be Expressway just because it's here.  
16 We could put like this side as the Expressway  
17 District, and maybe even here, but keep this one --  
18 keep all of this as I-1.

19 MS. LAND: You know, when you're saying  
20 "Here" and "Here," you would be including the section  
21 that has Home Depot on it now, too.

22 CHAIRPERSON TIMMERMAN: For sure.

23 MS. LAND: So that's -- look at the size of  
24 what you're doing. It will increase it by what's

1 already there.

2 MS. PARGEON: It's pretty flat out that way,  
3 too. That would be good for industry because it's  
4 flat.

5 CHAIRPERSON TIMMERMAN: You let it -- do you  
6 do, like, all of this property and here (indicating)?

7 MR. EVANS: What is this out here?

8 CHAIRPERSON TIMMERMAN: It says "Propane" on  
9 this map.

10 MS. PARGEON: Is that Prism Propane?

11 MR. EVANS: There is a big tank there.

12 SECRETARY STACY: You really start getting  
13 into a lot of Ag and homes here.

14 MR. EVANS: Churches there.

15 SECRETARY STACY: Yeah. This is kind of a  
16 unique property because it could lend itself to a  
17 higher use, but, then, it also ties into Ag, too.  
18 It's kind of interesting:

19 MR. EVANS: To get there is kind of a little  
20 bit tough.

21 MS. LAND: Well, that property belongs I  
22 think to the gentleman who --

23 SECRETARY STACY: Yes.

24 MS. LAND: -- expressed a lot of --

1 SECRETARY STACY: Right.

2 MS. LAND: So did he want it to be  
3 Industrial?

4 SECRETARY STACY: Well, you know, this  
5 really lends itself to what we talked about, the PUDs,  
6 the Plan Unit Development, because it's so diverse.  
7 So if that's the case, how would you zone something  
8 that would lend itself to that use?

9 MS. LAND: I don't know. It's more of a  
10 Matt question than me. It's not so much a legal  
11 question; it's a planning question.

12 SECRETARY STACY: Right. Do we want to look  
13 at the landfill and come back to that?

14 CHAIRPERSON TIMMERMAN: Sure. You said the  
15 landfill, make it I-2 right away?

16 SECRETARY STACY: Well, this says  
17 Commercial, so are these properties considered I-1 or  
18 I-2?

19 CHAIRPERSON TIMMERMAN: They don't have to  
20 be considered I-1 or I-2.

21 MS. LAND: What are they?

22 CHAIRPERSON TIMMERMAN: Old tank farm and  
23 junkyard.

24 MS. LAND: Those could definitely fall into

1 I-2.

2 SECRETARY STACY: Right.

3 MR. EVANS: Is that where Dick's and the  
4 other one is?

5 SECRETARY STACY: Yeah. I will say there is  
6 also -- where is the railroad track?

7 MR. EVANS: It's over here. You talking  
8 about this one?

9 SECRETARY STACY: No, I'm talking about --

10 MR. EVANS: The one that goes through  
11 Mortimer?

12 MS. LAND: Mortimer is not incorporated; is  
13 that correct? Or is it incorporated?

14 MR. EVANS: That's a good question.

15 SECRETARY STACY: There's actually a Super  
16 Fund location that was scheduled decades ago for Super  
17 Fund cleanup because of hazardous materials dumped by  
18 local industrial businesses that's just sat and never  
19 been addressed.

20 CHAIRPERSON TIMMERMAN: Where is that?

21 SECRETARY STACY: Where is the railroad?  
22 I've got to get my bearings.

23 MR. EVANS: If we can find 216.

24 SECRETARY STACY: I've got to find the

1 railroad track right here.

2 MR. EVANS: 216 has to be down here  
3 somewhere. I just don't see where it's marked.

4 CHAIRPERSON TIMMERMAN: This is 216 right  
5 here (indicating).

6 SECRETARY STACY: It's off of 142 and it's  
7 right before -- right in here, close to the tracks.

8 MR. EVANS: I bet this is the railroad  
9 tracks.

10 CHAIRPERSON TIMMERMAN: I think you're  
11 right.

12 MR. EVANS: That's probably the railroad  
13 tracks. It's just north of 216.

14 CHAIRPERSON TIMMERMAN: Yeah.

15 SECRETARY STACY: They could have done a  
16 better job of designating that, couldn't they?

17 CHAIRPERSON TIMMERMAN: Get your pen and  
18 draw little lines on it.

19 MR. EVANS: Yeah. It looks like railroad  
20 tracks.

21 SECRETARY STACY: Looks like a road to me.

22 MR. EVANS: Yeah.

23 CHAIRPERSON TIMMERMAN: So you're saying  
24 this area here?

1 SECRETARY STACY: Yeah. Yeah.

2 CHAIRPERSON TIMMERMAN: With the landfill,  
3 do we just make the entire thing -- the entire block  
4 I-2?

5 MR. EVANS: What happens -- so there's half  
6 a dozen houses there. So if the houses are there, if  
7 something happens, let's say there's a small fire, big  
8 fire, is that --

9 MS. LAND: They will be nonconforming uses,  
10 but they are grandfathered. It depends on what you  
11 put in Nonconforming Use. I think you said -- did you  
12 say 60 percent?

13 CHAIRPERSON TIMMERMAN: I think we settled  
14 on 60 percent. If 60 percent is gone.

15 MS. LAND: If they're 60 percent destroyed,  
16 they can't put them back. You can make it that it has  
17 to be 100 percent destroyed or 75 percent or any  
18 little bit.

19 MR. EVANS: I guess I'd just feel bad if  
20 somebody loses a house, and they'd like to stay there,  
21 I'd like for them to have the option.

22 SECRETARY STACY: You do have housing right  
23 through here from 140. And, again, it's just a  
24 hodgepodge.

1 MR. EVANS: Uh-huh.

2 SECRETARY STACY: We didn't create this.  
3 This is what it is.

4 CHAIRPERSON TIMMERMAN: Right.

5 MS. LAND: And the landfill will eventually  
6 try to gobble up all the houses around there as people  
7 decide they want to get rid of them or because --

8 MS. PARGEON: They die off and the family  
9 doesn't want to be bothered. Yeah.

10 MS. LAND: It's happened before. But most  
11 of them are just houses with nothing else with them.  
12 Being close to the landfill, sometimes they have less  
13 a desirable sale.

14 CHAIRPERSON TIMMERMAN: I-1 or I-2?

15 MS. LAND: I would make the whole block the  
16 same, like I-2. That gives -- because if somebody  
17 wants to develop something I-2 over near the landfill  
18 is fine.

19 CHAIRPERSON TIMMERMAN: Just have a couple  
20 spots for I-2.

21 SECRETARY STACY: Yeah. And with it being  
22 I-2, I-1 be could be there as well.

23 MS. LAND: Yes.

24 SECRETARY STACY: That's the highest



1 threshold.

2 CHAIRPERSON TIMMERMAN: So I think that's  
3 the simple --

4 MS. LAND: There's some logic that, if you  
5 think of I-2 as the ugliest neighbor you can get, so  
6 is the landfill.

7 CHAIRPERSON TIMMERMAN: Right.

8 MS. LAND: Put them all together.

9 SECRETARY STACY: Right. Right.

10 MS. LAND: But if they want to be a little  
11 less and be Light Industrial, they can still be there.

12 CHAIRPERSON TIMMERMAN: It leaves a couple  
13 pieces of property for I-2.

14 MR. EVANS: So it that it? I-2 is that  
15 square right there?

16 CHAIRPERSON TIMMERMAN: I think that's the  
17 simple answer.

18 MR. EVANS: And it will be that square.

19 CHAIRPERSON TIMMERMAN: I would do the whole  
20 thing.

21 MS. PARGEON: Yeah. The whole block.

22 CHAIRPERSON TIMMERMAN: Just to keep it  
23 simple.

24 MR. EVANS: Uh-huh.

1 CHAIRPERSON TIMMERMAN: What are you  
2 thinking here? Oh, you just trying to indicate those  
3 two pieces of property?

4 SECRETARY STACY: Yeah.

5 MR. EVANS: So that's I-2. And what was  
6 Whirlpool and -- that's I-1?

7 CHAIRPERSON TIMMERMAN: Those would be I-1,  
8 I would think.

9 MS. LAND: They could be.

10 CHAIRPERSON TIMMERMAN: Since it's already  
11 being used as --

12 MR. EVANS: So do you want to not designate  
13 anything else I-1 that's in that area --

14 SECRETARY STACY: I don't have a --

15 MR. EVANS: -- from your annexation?

16 CHAIRPERSON TIMMERMAN: It's kind of  
17 surrounded already.

18 SECRETARY STACY: We still -- I mean, I  
19 guess the question is: How much Industrial do we  
20 think makes sense to stay in the township? Because, I  
21 mean, we can start here and use it.

22 CHAIRPERSON TIMMERMAN: But they could annex  
23 it just as easily.

24 SECRETARY STACY: They can -- yes. They can

1 annex other areas as well.

2 CHAIRPERSON TIMMERMAN: Uh-huh.

3 MS. LAND: What's that pink right there

4 by --

5 SECRETARY STACY: The purple?

6 MS. LAND: Yeah.

7 CHAIRPERSON TIMMERMAN: That's the railroad  
8 museum.

9 MS. LAND: Okay.

10 MR. EVANS: What's that zoned?

11 CHAIRPERSON TIMMERMAN: Not zoned anything.

12 MR. EVANS: Yeah.

13 MS. PARGEON: That's a neat little railroad  
14 museum.

15 MR. EVANS: So it's like the den -- oh, the  
16 one that's that pet place, adoption place.

17 MS. LAND: Oh, yeah. Teddy's Rescue.

18 MS. PARGEON: Yeah, that's what it is.

19 CHAIRPERSON TIMMERMAN: (Unintelligible.)

20 SECRETARY STACY: I was. I'm old.

21 MS. LAND: My kids got me one for Mother's  
22 Day a couple of years ago. I love it.

23 SECRETARY STACY: I'm older than you, John.  
24 By a little bit.

1 MS. LAND: It's a great thing to have.

2 SECRETARY STACY: Dave knows how old I am.  
3 Clara knows about how old I am.

4 MS. LAND: Well, you did tell us how long  
5 you've lived in the township. So...

6 SECRETARY STACY: Yeah.

7 MS. LAND: That gave it away.

8 SECRETARY STACY: That was right out there.  
9 Not a problem. I don't care.

10 MS. LAND: Okay.

11 SECRETARY STACY: It looks like 40 acres is  
12 the railroad preservation.

13 CHAIRPERSON TIMMERMAN: Do we want to start  
14 with obvious places? Like, to me, the Hillcrest stuff  
15 is Residential.

16 SECRETARY STACY: Yeah.

17 CHAIRPERSON TIMMERMAN: Do you just make the  
18 whole section Residential? And we'll need the  
19 Multi-Family also, because isn't there, like, condos  
20 or something in here?

21 MR. EVANS: There are, kind of where you see  
22 some of the smaller lots.

23 CHAIRPERSON TIMMERMAN: There's what now?  
24 Say again.

1 MR. EVANS: The smaller lots are -- I think  
2 where you're looking, is that about where the new  
3 church is going in?

4 CHAIRPERSON TIMMERMAN: I think it's right  
5 in here somewhere (indicating).

6 SECRETARY STACY: Yeah.

7 CHAIRPERSON TIMMERMAN: The church is  
8 somewhere right in here (indicating).

9 SECRETARY STACY: Right. It's right off of  
10 99. Yeah. Because this whole thing is called  
11 Commerce Park.

12 CHAIRPERSON TIMMERMAN: Okay.

13 SECRETARY STACY: Actually, is that --

14 MR. EVANS: A little bit farther that way.  
15 Like, where it says "Claudia."

16 SECRETARY STACY: Yeah. Well, see. Is it  
17 part of here? Because 142 pretty much -- that  
18 entrance into the industrial park is right across from  
19 the 142. Is it already considered Findlay?

20 MR. EVANS: Where Microsoft and stuff --

21 SECRETARY STACY: Uh-huh.

22 MS. LAND: That is. Microsoft has been  
23 annexed.

24 SECRETARY STACY: Yeah.

1 MS. LAND: It is, however, also still in the  
2 township. It was one of those funky annexations.  
3 They could never remove it from the township. It is,  
4 however, not in the unincorporated area of the  
5 township, so it's not subject to zoning.

6 CHAIRPERSON TIMMERMAN: Say that again.

7 MS. LAND: Zoning only covers the  
8 unincorporated area of the township.

9 CHAIRPERSON TIMMERMAN: Because it's  
10 incorporated with Findlay?

11 MS. LAND: Right. And Van Buren, it's also  
12 still in the township. All those properties are in  
13 the township as well as in the village, but they are  
14 in incorporated areas so they don't count. Not that  
15 they don't count, but they aren't -- it doesn't apply  
16 to them.

17 CHAIRPERSON TIMMERMAN: Okay. So are you  
18 guys thinking the church is over here more?

19 SECRETARY STACY: I think 142 Ts into 99.  
20 It's more like in here (indicating).

21 MR. EVANS: Yeah. Because that would be  
22 like where -- Siferd's might be the orange place.  
23 Siferd Plumbing. I think there's three houses beside  
24 it, which --

1 SECRETARY STACY: Yes.

2 MR. EVANS: -- the one is his dad's.

3 SECRETARY STACY: Yeah.

4 MR. EVANS: So I think that -- I think that  
5 is Siferd Plumbing, that "L" shape.

6 SECRETARY STACY: Can we make this  
7 Multi-Family right in here?

8 MR. EVANS: Actually, I think there's a  
9 project going there right now. That's where there's a  
10 sign that says something about --

11 MS. LAND: Those condos?

12 MR. EVANS: Siferd -- I'm trying to think of  
13 the other name. There's two names with it.

14 CHAIRPERSON TIMMERMAN: I'm seeing head nods  
15 out there.

16 MR. EVANS: Selling Fast or something.

17 MS. LAND: The condos that come off of 99  
18 that's going to have that outlet through one of the  
19 little subdivisions?

20 CHAIRPERSON TIMMERMAN: That's going to be  
21 behind Siferd's?

22 MR. EVANS: Yeah. There's a sign there now,  
23 but the sign's been there over a year, so I don't  
24 know.

1 FROM THE FLOOR: The trustees have been  
2 talking about that at their meetings about granting  
3 them access.

4 SECRETARY STACY: Right.

5 FROM THE FLOOR: That was a dead-end road  
6 for -- since it was built 30 years ago, or whatever.  
7 And now they're talking about making a through road.

8 CHAIRPERSON TIMMERMAN: Yeah. So, I mean,  
9 that would be -- do you want to do RM there?

10 MS. LAND: I'm not completely sure that  
11 condo developments are in the RM area because,  
12 usually, the condo property is one owner of the  
13 property which is the association, and, then, multiple  
14 residences on it, which is Multi-Family. So that's  
15 good.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. PARGEON: The whole area would be  
18 Multi-Family.

19 MS. LAND: I'm an attorney. I say a lot of  
20 words for nothing.

21 SECRETARY STACY: We have to have a location  
22 for Multi-Family. I think that makes the most sense.  
23 That's going to be a very heavily, densely populated  
24 area, but it follows suit with what's already there,



1 and there's -- actually the majority of it already is.

2 CHAIRPERSON TIMMERMAN: So we're thinking  
3 the RM would be just this white area here?

4 SECRETARY STACY: I think so.

5 CHAIRPERSON TIMMERMAN: And, then, is this  
6 all R-1, then, this way? I don't know what's going on  
7 here.

8 MS. LAND: Dr. Lai's property, just over the  
9 line.

10 CHAIRPERSON TIMMERMAN: This way?

11 MS. LAND: Yeah. I have no idea what's  
12 going on there, but there's a lot of Regional Planning  
13 stuff with Brownfield Excavation testing for things.  
14 So my guess is somebody's got their eye on it.

15 SECRETARY STACY: It's the old tank farm.  
16 Actually someone built a nice home recently back in  
17 that, which is --

18 CHAIRPERSON TIMMERMAN: Where is she saying  
19 on this?

20 SECRETARY STACY: Okay.

21 CHAIRPERSON TIMMERMAN: Which property?

22 SECRETARY STACY: I've got to find 140 for  
23 the tank farm where I'm thinking about. There's 75.  
24 There's 140 is the boundary for our township.

1 CHAIRPERSON TIMMERMAN: Yeah.

2 SECRETARY STACY: There's --

3 CHAIRPERSON TIMMERMAN: I thought she was  
4 saying right down there.

5 SECRETARY STACY: Right here.

6 MS. LAND: I think it's just north of 99,  
7 right?

8 CHAIRPERSON TIMMERMAN: What is the name on  
9 that?

10 MS. LAND: Dr. Lai, L-A-I.

11 SECRETARY STACY: He owns multiple  
12 properties.

13 MS. LAND: Yeah. He owns a lot of property.

14 SECRETARY STACY: The racetrack.

15 MS. LAND: He owns the racetrack property.

16 MR. EVANS: 99 and I-75.

17 CHAIRPERSON TIMMERMAN: She's saying this  
18 one here.

19 SECRETARY STACY: But there's also the tank  
20 farm that's one down 140 a ways from 99 going north.  
21 It's not the tracks. It's back in here. It's like  
22 right in here somewhere. Well, there you go. There's  
23 his name.

24 So we have to take into account how it's

1 currently being used?

2 MS. LAND: Not necessarily. You've got to  
3 be careful not to create too many nonconforming uses  
4 because it limits people a slight bit.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: If it's some -- if somebody built  
7 a house in the middle of an area that is -- makes  
8 logical sense to be business or industry, you can't  
9 take that into account. They can keep their house.  
10 There's nothing that says they can't. They'll still  
11 be taxed the same way. They just --

12 CHAIRPERSON TIMMERMAN: Right.

13 MS. LAND: -- will be considered  
14 nonconforming.

15 CHAIRPERSON TIMMERMAN: Do we to agree to  
16 just make the rest of this R-1?

17 SECRETARY STACY: Yeah.

18 CHAIRPERSON TIMMERMAN: I mean, they're  
19 expanding this.

20 MS. PARGEON: Yeah, since they're expanding.

21 SECRETARY STACY: I'd say this is all R-1.

22 CHAIRPERSON TIMMERMAN: All through here  
23 (indicating).

24 SECRETARY STACY: Just trying to --

1 CHAIRPERSON TIMMERMAN: Debating if you want  
2 a different color?

3 SECRETARY STACY: No, I'm just trying to --

4 MR. EVANS: Actually, if I'm not mistaken,  
5 I think there's some high-tension wires that are  
6 there, and that might be where there's nothing.

7 CHAIRPERSON TIMMERMAN: They go through this  
8 somewhere, but they go right through the houses, too.

9 SECRETARY STACY: Yeah, they do.

10 MS. LAND: There's some big high-tension  
11 wires over the houses in Lakeview.

12 CHAIRPERSON TIMMERMAN: Yeah.

13 MS. LAND: We looked at one. We're like,  
14 Nah.

15 CHAIRPERSON TIMMERMAN: What is your  
16 strategy there over on that side?

17 SECRETARY STACY: It's like sticky on both  
18 sides.

19 CHAIRPERSON TIMMERMAN: It is. Peel it off  
20 the back side. Okay.

21 SECRETARY STACY: Tides (phonetic).

22 CHAIRPERSON TIMMERMAN: Might as well make  
23 it R-1. Agreed?

24 SECRETARY STACY: This is where --

1 CHAIRPERSON TIMMERMAN: That's where Sheetz  
2 is going in.

3 SECRETARY STACY: Yeah. Uh-huh.

4 CHAIRPERSON TIMMERMAN: We already know what  
5 it's going to be used for.

6 MS. LAND: That's going to make it business  
7 of some sort. Are they being annexed?

8 CHAIRPERSON TIMMERMAN: I don't know that  
9 answer.

10 SECRETARY STACY: Sheetz on --

11 MS. LAND: I think they are.

12 SECRETARY STACY: Do we want it call it B-3?

13 CHAIRPERSON TIMMERMAN: Sure.

14 MR. EVANS: Is that the gas station?  
15 Service station?

16 CHAIRPERSON TIMMERMAN: Is that what it's  
17 called, B-3?

18 MS. LAND: I'm trying to remember.

19 SECRETARY STACY: You would jump from B-3 to  
20 I-1.

21 MR. EVANS: Page 21.

22 CHAIRPERSON TIMMERMAN: Maybe just do  
23 Residential on this R-1.

24 SECRETARY STACY: Well, it is -- I mean --

1 CHAIRPERSON TIMMERMAN: It's all residential  
2 use right now.

3 SECRETARY STACY: Yeah.

4 MS. LAND: Yeah. Service stations would be.

5 CHAIRPERSON TIMMERMAN: B-3?

6 MS. LAND: Yeah. Conditional Use in B-3.

7 SECRETARY STACY: I don't like that. I want  
8 something else. Little arrows are giving me fits.  
9 This is a lot closer (unintelligible).

10 CHAIRPERSON TIMMERMAN: It's right in here.

11 MR. EVANS: Somewhere right down there.

12 CHAIRPERSON TIMMERMAN: So the purple is the  
13 church. Dark Horse is sitting --

14 MR. EVANS: Northwestern Masonry would be  
15 the copper-orange color.

16 CHAIRPERSON TIMMERMAN: Here. Dark Horse is  
17 right here.

18 SECRETARY STACY: Okay. So this is Ag right  
19 now.

20 CHAIRPERSON TIMMERMAN: Yeah.

21 SECRETARY STACY: What is that  
22 (unintelligible) behind Dark Horse?

23 MR. EVANS: I'm trying to think -- the  
24 access -- access is on Main Street.

1 SECRETARY STACY: There's Ag behind -- that  
2 runs beside that and then Reineke Ford.

3 MR. EVANS: Behind Dark Horse and  
4 Northwestern Masonry.

5 MS. LAND: Are those car dealerships in the  
6 township?

7 CHAIRPERSON TIMMERMAN: Doesn't look like  
8 it. This is all black through here.

9 SECRETARY STACY: So they'd come all the  
10 way --

11 MS. PARGEON: 75 practically.

12 MS. LAND: That's the racetrack property.

13 SECRETARY STACY: Okay.

14 CHAIRPERSON TIMMERMAN: Wonder why that --  
15 what's that one? That spot there? No idea.

16 MS. LAND: Yeah. It was part of a weird  
17 annexation deal.

18 MS. PARGEON: Is that where they stuck some  
19 homes in there?

20 MS. LAND: No. It was going to lock some  
21 property into a doughnut hole, and they had to take  
22 some property out and ended up with an odd property  
23 line there. I can't remember all the details of it.

24 There were attorneys on both sides besides

1 me, and I was just waiting to see if they did things  
2 procedurally right. I wasn't arguing the merits of  
3 what they were up to.

4 MR. EVANS: Looks like the Ford dealership  
5 is there. So this property, you can access it --

6 CHAIRPERSON TIMMERMAN: Right there.

7 MR. EVANS: -- from -- yeah. Like real  
8 close to where the Dark Horse is.

9 SECRETARY STACY: Uh-huh.

10 MS. LAND: As I understand it, Sheetz put on  
11 a bunch of conditions on the property that they  
12 purchased there about things that can't go there now.

13 MR. EVANS: The big one or the gas station?

14 MS. LAND: The gas station.

15 CHAIRPERSON TIMMERMAN: Things that can't go  
16 there. What do you mean?

17 MS. LAND: Competitors of any kind.

18 MR. EVANS: Oh.

19 CHAIRPERSON TIMMERMAN: They can't go where?

20 MS. LAND: Right around near where they are.  
21 They're not going to use that whole property.

22 MR. EVANS: I can't imagine another gas  
23 station going in there. You have Speedway and  
24 racetrack and Sheetz.



1 MS. PARGEON: Too many, too close.

2 CHAIRPERSON TIMMERMAN: Marathon is right in  
3 there, too.

4 MR. EVANS: Marathon.

5 CHAIRPERSON TIMMERMAN: It's funny that  
6 they're worried about competition.

7 MR. EVANS: They were the last ones to come  
8 in.

9 SECRETARY STACY: Uh-huh.

10 MS. LAND: According to my kids, they're  
11 going to blow everybody else out of the water.

12 CHAIRPERSON TIMMERMAN: Sheetz is?

13 MS. LAND: My kids are all up by Cleveland,  
14 a lot of them. They have a bunch of them there, and  
15 they say they are the great place to go for late-night  
16 food.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: I'm not going to ask them why  
19 they're out getting late-night food.

20 MR. EVANS: Yeah. I'd rather go to Dark  
21 Horse.

22 CHAIRPERSON TIMMERMAN: That's not late  
23 night.

24 MS. LAND: We're talking, you know, the

1 bar's closed kind of thing.

2 MR. EVANS: Oh, like 2:00 in the morning.

3 MS. LAND: College kids. They're done now.

4 CHAIRPERSON TIMMERMAN: That does sound good  
5 at that point.

6 MR. EVANS: Where are we at? Is that what  
7 you want to -- figure out what that property is.

8 SECRETARY STACY: Well, I guess the bigger  
9 issue is, looking at what it's next to, we know  
10 there's car dealerships, and it would -- again, would  
11 it lend itself to like a B-3, given that's already in  
12 the area?

13 MR. EVANS: Makes sense to me.

14 MS. PARGEON: Yeah.

15 CHAIRPERSON TIMMERMAN: I guess the only  
16 argument against that would be that your access is  
17 over here.

18 SECRETARY STACY: Should we -- that  
19 shouldn't be our concern, should it?

20 MR. EVANS: Well, I mean, it's business, so  
21 it's not like --

22 CHAIRPERSON TIMMERMAN: Right.

23 MR. EVANS: -- Industrial or --

24 SECRETARY STACY: If they want to get there

1 bad enough, they'll find a way.

2 MS. PARGEON: Here comes the helicopter.

3 MS. LAND: You have to zip line in from  
4 across the street.

5 MR. EVANS: B-3, B-1 and 2 can go.

6 SECRETARY STACY: Yeah. Correct. This is  
7 all business.

8 CHAIRPERSON TIMMERMAN: We still have to  
9 zone some areas B-1 and B-2 specifically? Is that a  
10 true statement?

11 MS. LAND: Not necessarily, if you're doing  
12 B-3, because B-1 and B-2 can be in there. You're  
13 not excluding any place.

14 CHAIRPERSON TIMMERMAN: They have to have a  
15 place to go.

16 MS. LAND: Yes. It's the same way with, if  
17 you do I-2. You don't necessarily have to do much I-1  
18 because I-1 can go in the I-2 spots.

19 CHAIRPERSON TIMMERMAN: Right.

20 SECRETARY STACY: What's this?

21 CHAIRPERSON TIMMERMAN: It doesn't call it  
22 out on this.

23 MR. EVANS: Is that where Cindy Jakeway  
24 lives?

1           SECRETARY STACY: Yeah. But nothing ever  
2 went there.

3           MR. EVANS: So, like, this is, like,  
4 Jeffrey's Antiques.

5           SECRETARY STACY: Right. Yeah.

6           MS. LAND: Homestead.

7           MR. EVANS: Yeah.

8           SECRETARY STACY: Yeah.

9           MR. EVANS: I bet that's probably where  
10 Cindy Jakeway has her property.

11          SECRETARY STACY: She was on the west side  
12 of 132.

13          MR. EVANS: Oh, yeah. You're right.

14          MS. LAND: Isn't that that --

15          MR. EVANS: Oh, that's --

16          MS. LAND: -- industrial cleaning place?

17          MR. EVANS: T.J.D. is right there. Their  
18 other building.

19          SECRETARY STACY: Right. This is where that  
20 dog grooming thing was going to go and she ended up  
21 and put it elsewhere.

22          MR. EVANS: It seems like that would be a  
23 good business somewhere in here.

24          SECRETARY STACY: Since I can't -- that's

1 bare ground, why is it red?

2 MR. EVANS: She started doing her stuff.

3 SECRETARY STACY: But there's nothing there.

4 MR. EVANS: They started running gas lines  
5 and stuff to it. So maybe that's why it's like that.

6 MS. LAND: Is there a building there?

7 MR. EVANS: No. But there was a sign there  
8 a year ago that said Future Home of C.J.'s Boarding,  
9 and whatever else.

10 SECRETARY STACY: She relocated closer to  
11 the gun --

12 MR. EVANS: She's on Bigelow now.

13 SECRETARY STACY: Where family has a gun  
14 club.

15 MS. LAND: Is that -- was it a dog --

16 SECRETARY STACY: It was going to be a dog  
17 grooming and --

18 MR. EVANS: She still does that. It's right  
19 beside House of Color.

20 MS. LAND: Down by Bigelow Glass.

21 MR. EVANS: Yeah.

22 SECRETARY STACY: I would think this would  
23 all kind of lend itself to business --

24 MR. EVANS: I agree.

1 SECRETARY STACY: -- along --

2 MS. PARGEON: That would be the best because  
3 it's already got businesses there.

4 CHAIRPERSON TIMMERMAN: And it's going to  
5 have more businesses here on this side, too.

6 SECRETARY STACY: Right.

7 MR. EVANS: Maybe stop it at 142 to where  
8 maybe it's about this much (indicating).

9 SECRETARY STACY: You do have some B-1  
10 business in that field.

11 MS. LAND: You may want to --

12 MR. EVANS: Right.

13 SECRETARY STACY: I would call that B-1.

14 MS. LAND: When you get closer to the  
15 Residential, you might want to take it down to B-1.

16 SECRETARY STACY: That's what I thought.

17 MR. EVANS: And buffer.

18 SECRETARY STACY: And I would -- once you  
19 get past Beal's (phonetic), I would leave that Ag.

20 MR. EVANS: Yeah, I agree.

21 CHAIRPERSON TIMMERMAN: Let's do that.

22 MS. PARGEON: That sounds good.

23 CHAIRPERSON TIMMERMAN: We're doing B-1  
24 here.

1           SECRETARY STACY: So here's the -- it's  
2 interesting. There's --

3           MR. EVANS: There's no houses there.

4           CHAIRPERSON TIMMERMAN: Here?

5           MR. EVANS: No.

6           SECRETARY STACY: Beal's.

7           MR. EVANS: Oh, those. Yeah. There's about  
8 four or five houses.

9           SECRETARY STACY: There's a mobile home.

10          MR. EVANS: It's the Beal's compound. There  
11 are about three or four Beal families that live there.  
12 He's got a watch repair shop there.

13          SECRETARY STACY: Yeah. I'll tear this off  
14 a little bit.

15          MR. EVANS: So that's all there. I was  
16 thinking down here. Yeah.

17          CHAIRPERSON TIMMERMAN: You want to go more  
18 B-3?

19          MR. EVANS: Maybe B-3 this side of 142.

20          CHAIRPERSON TIMMERMAN: B-3 here?

21          SECRETARY STACY: Or you could go B-2 or  
22 B-3, either one, because if you have B-3, a B-2 can go  
23 in there.

24          CHAIRPERSON TIMMERMAN: Right.

1 MR. EVANS: Thinking we should make it B-2?

2 CHAIRPERSON TIMMERMAN: Is there a reason  
3 we're making this B-1 here? If it's five houses  
4 and --

5 SECRETARY STACY: They also have a small  
6 family business. Local business. B-1 is, like, a  
7 very small local business and you're doing business  
8 with the immediate area. That actually is a  
9 combination of B-1 and Residential right now.

10 CHAIRPERSON TIMMERMAN: Right.

11 SECRETARY STACY: Plus you're getting real  
12 close to this huge Hillcrest subdivision, too.

13 CHAIRPERSON TIMMERMAN: Okay.

14 SECRETARY STACY: So I think to taper it  
15 down to B-1 about right there. And, then, if you want  
16 to make this B-2, right in here (indicating).

17 MR. EVANS: Yeah.

18 CHAIRPERSON TIMMERMAN: Okay. How far are  
19 we letting that go up?

20 SECRETARY STACY: I don't know. You tell  
21 me.

22 MR. EVANS: Up to 100.

23 CHAIRPERSON TIMMERMAN: This whole section.

24 MR. EVANS: Or just to this.



1 SECRETARY STACY: That's a good question.

2 MR. EVANS: We were talking about Jeffrey's  
3 Antiques.

4 MS. PARGEON: But there's nothing behind  
5 that beyond that now.

6 SECRETARY STACY: Right here. Jeffrey's  
7 Antiques right here. So this is further on down.  
8 This is to the west.

9 MR. EVANS: You want to stop it kind of like  
10 where that line is?

11 CHAIRPERSON TIMMERMAN: This whole thing is  
12 going to be B-3, right?

13 SECRETARY STACY: I -- yeah, I would think.

14 MR. EVANS: The only way you can access this  
15 is either through here or 100.

16 SECRETARY STACY: And, again, is that our  
17 concern?

18 MR. EVANS: Right.

19 SECRETARY STACY: I'm not trying to be --

20 MR. EVANS: I'm just saying if we draw a  
21 line right there, it keeps it, and, then, do  
22 Agricultural on this side.

23 CHAIRPERSON TIMMERMAN: I think it's all one  
24 lot anyways.

1 SECRETARY STACY: What am I doing here? B  
2 what?

3 CHAIRPERSON TIMMERMAN: 3.

4 MR. EVANS: I thought we were going to kind  
5 of leave this 2 because 3 is over here.

6 CHAIRPERSON TIMMERMAN: But you got an on  
7 and off ramp. What's sitting right here?

8 MR. EVANS: That's Jeffrey's Antiques.

9 CHAIRPERSON TIMMERMAN: Jeffrey's Antiques  
10 is back.

11 MR. EVANS: Well, I mean, it's that whole  
12 operation and stuff.

13 SECRETARY STACY: This is actually on the  
14 south side.

15 MR. EVANS: That's on north side of 99.

16 CHAIRPERSON TIMMERMAN: That's on the north  
17 side.

18 MR. EVANS: That's that homestead.

19 CHAIRPERSON TIMMERMAN: I'm just saying, if  
20 you wanted a station there --

21 MS. LAND: Those are built out, and I don't  
22 think they are going to likely change.

23 SECRETARY STACY: Yeah. That's not going to  
24 be Expressway right there. It's going to be business.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: I mean, it's kind of B-2, the  
3 kind of thing that it is there.

4 MR. EVANS: Yeah. Because B-3 is hotels and  
5 bus passenger stations.

6 CHAIRPERSON TIMMERMAN: Do you want to do  
7 B-2 here then also? Just continuing the business?

8 SECRETARY STACY: Okay.

9 CHAIRPERSON TIMMERMAN: Just kind of go  
10 across there.

11 SECRETARY STACY: (Unintelligible) sticky  
12 notes.

13 MR. EVANS: At what point -- do you want to  
14 have some kind of a line to where this is Agricultural  
15 then?

16 CHAIRPERSON TIMMERMAN: Well, I think that's  
17 kind of what we're establishing almost here.

18 MS. PARGEON: Uh-huh. Yeah.

19 CHAIRPERSON TIMMERMAN: It feels that way at  
20 least.

21 MR. EVANS: Be nice if you could write on  
22 this. Can you write on --

23 MS. LAND: Whatever you want.

24 MR. EVANS: I think if you have a straight

1 edge --

2 MS. LAND: So you can mark that and remember  
3 where you're --

4 MR. EVANS: I don't think we're going to  
5 remember.

6 SECRETARY STACY: Right. I do have --

7 MR. EVANS: If you could draw a straight  
8 edge across there.

9 MS. LAND: Jereme brought some highlighters,  
10 too, if you want to use --

11 SECRETARY STACY: Maybe a pencil at this  
12 point.

13 MS. LAND: I think I have a pencil.

14 CHAIRPERSON TIMMERMAN: I have a pen.

15 SECRETARY STACY: I have one. I was tired  
16 of carrying them in my purse so I took them out.

17 FROM THE FLOOR: Do you need a pencil, Deb?

18 CHAIRPERSON TIMMERMAN: If you have one.

19 FROM THE FLOOR: Yeah.

20 MS. LAND: Here's one, too.

21 SECRETARY STACY: We have two. Be my guest.

22 CHAIRPERSON TIMMERMAN: Do you want to  
23 create, like, a line across here? Is that kind of  
24 what we're thinking?

1 MS. PARGEON: Yeah. That's what you guys  
2 were talking about.

3 CHAIRPERSON TIMMERMAN: Do we agree? Do we  
4 want a line going across here that -- like, this would  
5 be the business here? Do you want to let that extend  
6 up? Cover it all up because if we're thinking  
7 Agricultural through here (indicating); true?

8 MS. PARGEON: You've got that light line  
9 right above the blue thing. Just put your line  
10 through there.

11 SECRETARY STACY: So the question is --

12 MS. PARGEON: Yeah. Across there.

13 SECRETARY STACY: -- we take the business up  
14 to --

15 CHAIRPERSON TIMMERMAN: All the way up to --

16 MR. EVANS: 100.

17 SECRETARY STACY: -- 100.

18 MR. EVANS: Or split it in half, which is  
19 kind of where some of that is.

20 SECRETARY STACY: Do you want to ask the  
21 audience?

22 CHAIRPERSON TIMMERMAN: We're talking  
23 right -- Oh, dear Lord, the maps look different.

24 MS. LAND: Why don't you use this one. It's

1 easier to -- closer to this.

2 MR. EVANS: If would be just west of  
3 Jeffrey's Antiques.

4 CHAIRPERSON TIMMERMAN: Here's Jeffrey's  
5 Antiques. We're kind of talking this area right here  
6 as being B-2. We're curious whether to let that come  
7 further -- business come further up, or do we want to  
8 keep that Agricultural?

9 FROM THE FLOOR: I would say B.

10 MR. EVANS: All the way up to 100?

11 FROM THE FLOOR: Yeah.

12 CHAIRPERSON TIMMERMAN: All the way up.

13 FROM THE FLOOR: At least for the future.

14 MR. EVANS: When we go on 142, we have to --

15 SECRETARY STACY: It's currently Ag, and  
16 there's a good chance they'll keep it Ag, but that's  
17 up to them.

18 FROM THE FLOOR: Right.

19 SECRETARY STACY: But that means it could go  
20 to Business, if they wanted to.

21 FROM THE FLOOR: Close enough to the  
22 Interstate there for them.

23 CHAIRPERSON TIMMERMAN: Let's do that.

24 MR. EVANS: Take it to 100?

1 CHAIRPERSON TIMMERMAN: Take it all the way  
2 up to here. This property as well.

3 MR. EVANS: And then over to here  
4 (indicating).

5 SECRETARY STACY: Go ahead. Just write.

6 CHAIRPERSON TIMMERMAN: We're going to do  
7 B-2 here. Everybody good with that? Here. Here.  
8 Here.

9 MR. EVANS: Yeah.

10 SECRETARY STACY: Yeah.

11 MR. EVANS: Somehow it seems like you've got  
12 to do some -- oh, okay.

13 CHAIRPERSON TIMMERMAN: So we're going to  
14 take it up to here (indicating).

15 MS. PARGEON: Yeah. That looks good.

16 MR. EVANS: Is it B-1 all the way back to  
17 there? That's where Beals are.

18 CHAIRPERSON TIMMERMAN: What's your access  
19 to back here at that point?

20 MR. EVANS: It's through Beals, and  
21 whatever -- this is a farm field.

22 CHAIRPERSON TIMMERMAN: This is a farm  
23 field, right? But what -- where do we -- we have a  
24 road here, and, then, there's no more roads through

1 here -- up here.

2 MS. PARGEON: Right, Because that's Ag.

3 SECRETARY STACY: Just keep it Ag.

4 MS. PARGEON: Yeah.

5 SECRETARY STACY: You're taping down to B-1.  
6 You've got your resident.

7 CHAIRPERSON TIMMERMAN: Do we want B-1 to  
8 be --

9 SECRETARY STACY: The dividing -- you're  
10 talking about where your dividing line --

11 CHAIRPERSON TIMMERMAN: -- like, here? And,  
12 then, this be Residential, since it's already  
13 Residential. Or do you put it into a B-1? Do you  
14 want to do this?

15 SECRETARY STACY: If you want to just keep  
16 the line straight and make that B-1.

17 CHAIRPERSON TIMMERMAN: This, including  
18 residential portion?

19 SECRETARY STACY: Right. And as long as  
20 they own that, they can have that Residential. If  
21 they want to bump it up to B-1, then, it's in sequence  
22 what we've done. So we have --

23 CHAIRPERSON TIMMERMAN: Yeah.

24 SECRETARY STACY: -- a trans --



1 MS. LAND: The small business that they have  
2 could expand in there.

3 SECRETARY STACY: And they do have a small  
4 business in there anyway

5 CHAIRPERSON TIMMERMAN: Okay. At that  
6 point, are we going Ag up?

7 SECRETARY STACY: Yeah.

8 MR. EVANS: We almost don't need to mark Ag.  
9 Whatever is left over is Ag.

10 SECRETARY STACY: Correct.

11 CHAIRPERSON TIMMERMAN: So...

12 MR. EVANS: Now, since you're in this area,  
13 do you want to take care of the landfill and the  
14 Dick's?

15 SECRETARY STACY: Yeah, we should.

16 CHAIRPERSON TIMMERMAN: Where do you -- so  
17 we're going to do this as B-2.

18 MS. LAND: What are they?

19 MR. EVANS: Dick's, where they're --

20 CHAIRPERSON TIMMERMAN: Junkyard.

21 MR. EVANS: -- junkyard, wrecked cars.

22 MS. LAND: Those would almost have to be --

23 MS. PARGEON: Car parts place.

24 MS. LAND: -- an I-1.

1 CHAIRPERSON TIMMERMAN: That's what I --  
2 what did I say?

3 MS. PARGEON: You said B.

4 SECRETARY STACY: Why don't you just write  
5 on there, instead of me messing with stickers. That's  
6 driving me crazy.

7 CHAIRPERSON TIMMERMAN: So we want these to  
8 be B --

9 MR. EVANS: No, I --

10 MS. PARGEON: Industrial.

11 CHAIRPERSON TIMMERMAN: I know. Maybe  
12 somebody else should write. I-1, or is this going to  
13 be an I-2?

14 SECRETARY STACY: I think we have --

15 CHAIRPERSON TIMMERMAN: That's I-2 there, so  
16 make it I-1?

17 MR. EVANS: You could probably write I-2 in  
18 here, too. We better take a picture just in case  
19 these come off over the next week or so.

20 CHAIRPERSON TIMMERMAN: I-2.

21 SECRETARY STACY: Or we can pull them off  
22 and just write. That's probably what we should have  
23 done to start with.

24 MR. EVANS: Do we have to worry about any of

1 that -- that's that other little wrecking yard.

2 MS. LAND: That's that recycle place, isn't  
3 it?

4 SECRETARY STACY: Yeah. That's recycle.

5 MS. LAND: That may be I-2. I mean --

6 MR. EVANS: So do we need to zone it?

7 CHAIRPERSON TIMMERMAN: Do you zone it I-2  
8 or do you just let be it in the Agricultural? It'd be  
9 nonconforming.

10 MS. LAND: Then it can't expand.

11 MS. PARGEON: They recycle stuff, right?

12 MS. LAND: Do they do the recycling there or  
13 just collect it there?

14 MR. EVANS: I think they collect there.  
15 They have scales there and that sort of thing.

16 SECRETARY STACY: That's hard because you do  
17 have this residential right there.

18 CHAIRPERSON TIMMERMAN: Right.

19 MR. EVANS: So it's like you want to just --  
20 their property.

21 MS. LAND: Not good to do that.

22 CHAIRPERSON TIMMERMAN: It's not good to do  
23 what?

24 MS. LAND: To just take one property out.

1 That's spot zoning. We have problems with that.  
2 Like, down here, you have a cohesive flow for how you  
3 want things. But if you just -- and, then, the I-2  
4 that you have there, that makes sense; it's a cohesive  
5 flow. But if you just pick one little tab out of  
6 there, that's a problem.

7 MR. EVANS: Seems like that's a place if  
8 something happened to it, there was a big fire there,  
9 it --

10 CHAIRPERSON TIMMERMAN: This one here?

11 MR. EVANS: Yeah. It's got a -- because you  
12 don't -- we're not going to want them to expand with  
13 all of these houses right here (indicating).

14 MS. PARGEON: Yeah.

15 CHAIRPERSON TIMMERMAN: I'd almost consider  
16 it I-2 -- Agricultural all the way up.

17 MS. PARGEON: Make it Agricultural.

18 CHAIRPERSON TIMMERMAN: So I don't see any  
19 reason to make this Residential. Just let it be  
20 houses out in the country and Agricultural.

21 SECRETARY STACY: Because we typically would  
22 not plan Residential right next to I-2.

23 CHAIRPERSON TIMMERMAN: Right.

24 SECRETARY STACY: It is what it is.

1 MS. PARGEON: So leave it Agricultural.

2 CHAIRPERSON TIMMERMAN: Yeah.

3 MS. PARGEON: Got to plant food somewhere.

4 MR. EVANS: All of that's Agricultural.

5 SECRETARY STACY: It's a challenge to make  
6 smooth transitions the way --

7 CHAIRPERSON TIMMERMAN: It is.

8 MS. LAND: Be simple if there's nothing  
9 there.

10 CHAIRPERSON TIMMERMAN: Don't know what that  
11 is. Says "mobile home."

12 SECRETARY STACY: We're in the most  
13 difficult --

14 CHAIRPERSON TIMMERMAN: It doesn't say  
15 plural.

16 MS. PARGEON: So it's one mobile home on  
17 a --

18 CHAIRPERSON TIMMERMAN: If I recall right  
19 what Matt said, he did indicate any property had that  
20 had a mobile home on it.

21 MR. EVANS: This is where Wilkins lives  
22 here, I think, right? Right there. Oh, he's --

23 SECRETARY STACY: He's got a business. He's  
24 got a car repair.

1 MR. EVANS: That's right. It's a car repair  
2 place. Performance something.

3 SECRETARY STACY: Right.

4 MR. EVANS: That must be what that is.

5 SECRETARY STACY: Our blasting place --  
6 actually there should be --

7 MR. EVANS: I thought it's on this side.

8 SECRETARY STACY: It's on this side. I'm  
9 trying to think.

10 MR. EVANS: Maybe it's on -- it's got to be  
11 a separate lot. Maybe it's down here. Is it down  
12 here? No, it's not down here. It's in this  
13 (indicating).

14 CHAIRPERSON TIMMERMAN: That's what you were  
15 indicating, the blasting place?

16 MS. LAND: It's on property owned by the  
17 county. I don't know.

18 SECRETARY STACY: It would be on this side  
19 so it's encompassed in the landfill area.

20 CHAIRPERSON TIMMERMAN: So as we're going  
21 up, if this is Agricultural going up to in this point  
22 here, you have I-1 stuff here (indicating). Do you  
23 zone it I-1 since it's already there? Or do you just  
24 let it be part of Ag and make it be nonconforming? Is

1 there a better answer on that? If it's nonconforming,  
2 then it's limited how much they can expand. Is that a  
3 true story?

4 MS. LAND: It's how much they -- limited as  
5 to how much they can expand and limits how much they  
6 can repair if something happens to it.

7 CHAIRPERSON TIMMERMAN: Okay.

8 MS. LAND: Unless you rewrite your -- unless  
9 you revisit your nonconforming section and give  
10 different parameters.

11 CHAIRPERSON TIMMERMAN: Right. I'm okay  
12 with making it I-1 then.

13 MR. EVANS: Yeah.

14 CHAIRPERSON TIMMERMAN: Just keeping  
15 everything else through here.

16 MR. EVANS: That square?

17 CHAIRPERSON TIMMERMAN: Going down to here,  
18 does anybody know where that -- does the same business  
19 own any other properties here?

20 MR. EVANS: I don't know. Are both those  
21 Dick's?

22 CHAIRPERSON TIMMERMAN: There's the -- so  
23 they're -- all of these are -- 1, 2, 3, 4, 5.

24 SECRETARY STACY: This actually I think is

1 Dick's because he sold that.

2 CHAIRPERSON TIMMERMAN: The bigger?

3 SECRETARY STACY: Yeah.

4 CHAIRPERSON TIMMERMAN: Did they split it?  
5 I think they split it here. This is tall. Like, this  
6 one section here is very square.

7 SECRETARY STACY: That was a recent  
8 purchase, so it's not in that name anymore.

9 CHAIRPERSON TIMMERMAN: Right. So you  
10 think -- you think probably I-1 all the way down to  
11 here then (indicating)? If that's where they're  
12 currently at.

13 SECRETARY STACY: Here's the thing: If it's  
14 Ag, you can continue farming it as Ag, but then you  
15 have the option to go to up higher.

16 MS. PARGEON: So leave it at Ag.

17 CHAIRPERSON TIMMERMAN: They'd have to  
18 request the change? Is that what you're saying?

19 SECRETARY STACY: If you were to extend I-1  
20 down this way, no. If they wanted to elevate the  
21 higher-rated district, such as I-1, it would be in  
22 place. But if they wanted to keep it Ag, you could  
23 continue doing what you want to do regardless of how  
24 it's zoned.



1 CHAIRPERSON TIMMERMAN: So make it I-1, and  
2 then they can --

3 SECRETARY STACY: You could make it --

4 CHAIRPERSON TIMMERMAN: They can farm it, if  
5 they want.

6 SECRETARY STACY: You could make an argument  
7 for that.

8 CHAIRPERSON TIMMERMAN: Thoughts?

9 FROM THE FLOOR: Where are you guys talking?

10 CHAIRPERSON TIMMERMAN: Where the junk --

11 MR. EVANS: Dick's Salvage.

12 CHAIRPERSON TIMMERMAN: The salvage.

13 MR. EVANS: On 142.

14 FROM THE FLOOR: One is Ed's and one's  
15 Dick's. Owned by the same guy.

16 FROM THE FLOOR: Where are you talking to  
17 extend?

18 CHAIRPERSON TIMMERMAN: We're just looking  
19 at these five pieces right here (indicating).

20 FROM THE FLOOR: That's it?

21 CHAIRPERSON TIMMERMAN: Yeah. Because I  
22 think it is our understanding that they bought this to  
23 expand out. So since they own it, just expand.

24 SECRETARY STACY: Okay.

1 CHAIRPERSON TIMMERMAN: Somebody can still  
2 farm it, if they want to farm it.

3 SECRETARY STACY: Sure.

4 CHAIRPERSON TIMMERMAN: Is that --

5 MS. PARGEON: Okay. On to the next spot.

6 SECRETARY STACY: That gives you a fair bit  
7 of I-1 and I-2, doesn't it?

8 CHAIRPERSON TIMMERMAN: I think we got a --

9 MR. EVANS: Probably not.

10 SECRETARY STACY: So my question is: Then  
11 maybe you don't want to do I-1.

12 MR. EVANS: Up here.

13 CHAIRPERSON TIMMERMAN: I'm going to say  
14 this against what you're saying. This I-1 all here is  
15 already basically existing businesses.

16 SECRETARY STACY: Uh-huh.

17 CHAIRPERSON TIMMERMAN: There's no room for  
18 a new business to come in, if that's all you do.

19 SECRETARY STACY: You would have that there,  
20 and if you're going to make these two.

21 CHAIRPERSON TIMMERMAN: But, then, weren't  
22 you guys implying that these were already owned by  
23 this guy? If they're all the same --

24 SECRETARY STACY: I think the bigger issue

1 is the size of the area, rather than who owns it.

2 CHAIRPERSON TIMMERMAN: Well, I get that.

3 But if this is owned by this company, they're not  
4 going to -- they're going to preserve that for  
5 themselves. No other business is going to be able to  
6 come in. That's what I'm looking at. Like, if  
7 something else wanted to come in, would they be able  
8 to?

9 SECRETARY STACY: I can't answer that.

10 CHAIRPERSON TIMMERMAN: I know. I just feel  
11 like, if that is the case, he would protect himself.

12 SECRETARY STACY: Possibly. You can always  
13 stick some I-1 up there.

14 MR. EVANS: Up in here (indicating)?

15 SECRETARY STACY: Yeah.

16 MR. EVANS: Yeah. You don't want to go too  
17 far there.

18 MS. LAND: What's that rust color up there?

19 CHAIRPERSON TIMMERMAN: That's the concrete  
20 plant.

21 MS. LAND: Okay. That business I was  
22 talking about comes off of 108 on the landfill.

23 CHAIRPERSON TIMMERMAN: Comes into the  
24 landfill here?

1 MS. LAND: Yeah.

2 MR. EVANS: Austin Powder, or whatever?

3 MS. LAND: Yeah. It goes into quite a way.

4 MR. EVANS: It goes into the woods, doesn't  
5 it?

6 MS. LAND: Uh-huh.

7 CHAIRPERSON TIMMERMAN: Is there anything  
8 else through this section that -- keep it just like  
9 that?

10 MR. EVANS: I don't think you want to bring  
11 much more than what is there just because this is  
12 starting to get away from the -- you know, the main  
13 roads. You wouldn't want to introduce too much truck  
14 traffic and that sort of thing in this area.

15 CHAIRPERSON TIMMERMAN: Yeah, I agree. So  
16 mostly Agricultural at that point coming out.

17 MR. EVANS: I agree.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MR. EVANS: Basically we're just making the  
20 I-2 what is there and a little bit more in the I-1.

21 SECRETARY STACY: Uh-huh.

22 MS. PARGEON: That makes sense.

23 SECRETARY STACY: So the question is: If  
24 we're done with this area, do you want to switch up to

1 by 613?

2 CHAIRPERSON TIMMERMAN: I think it's  
3 probably headed that way. Do we want to -- are we  
4 just -- I assume we're just going to make these  
5 Industrial through here I-1?

6 SECRETARY STACY: Is that what they are  
7 currently?

8 CHAIRPERSON TIMMERMAN: I mean, that's  
9 Whirlpool and Ball Metal.

10 SECRETARY STACY: Yeah.

11 CHAIRPERSON TIMMERMAN: So just keep them  
12 I-1?

13 SECRETARY STACY: Uh-huh.

14 CHAIRPERSON TIMMERMAN: Lowe's would be I-1  
15 as well.

16 SECRETARY STACY: Uh-huh.

17 MR. EVANS: That little weird shape, make  
18 that I-1?

19 CHAIRPERSON TIMMERMAN: Is that what you're  
20 saying here (indicating)?

21 MR. EVANS: Uh-huh. That's the property  
22 right beside Lowe's Distribution.

23 CHAIRPERSON TIMMERMAN: Yeah. There's a  
24 little pond.

1 MR. EVANS: It's not good for much else.  
2 Yeah.

3 CHAIRPERSON TIMMERMAN: Yeah.

4 MS. LAND: Do they need to -- last time I  
5 zoned a landfill Agricultural.

6 SECRETARY STACY: What?

7 MS. LAND: Last time they have it  
8 Agricultural.

9 SECRETARY STACY: That doesn't make sense.

10 MS. LAND: No, it doesn't.

11 MS. PARGEON: That's before it started  
12 growing, huh?

13 MR. EVANS: I-1 is Ball Metal and Whirlpool.

14 SECRETARY STACY: Was it -- so is  
15 Whirlpool I-1?

16 CHAIRPERSON TIMMERMAN: I-1 is what I would  
17 do. You can barely read it. Do you have a pen?

18 MR. EVANS: Nice pen my wife gave me.

19 CHAIRPERSON TIMMERMAN: Go for it. This is  
20 Whirlpool back in here, too, right?

21 SECRETARY STACY: Yeah. It goes back behind  
22 those houses.

23 MR. EVANS: This is more Ball Metal here.

24 MS. PARGEON: Used to be a woods in a corn

1 field.

2 MR. EVANS: That's, like, Ohio Logistics.

3 CHAIRPERSON TIMMERMAN: Yeah. What do you  
4 do with all of this right in here? Is it just all  
5 I-1, unfortunately, for -- actually, I think it  
6 basically is anyway. You got --

7 MR. EVANS: There's a substation --

8 CHAIRPERSON TIMMERMAN: -- a house right  
9 here (indicating).

10 MR. EVANS: There's a substation right in  
11 there somewhere it seems like. Right about where  
12 you're -- isn't there?

13 CHAIRPERSON TIMMERMAN: I think that's on  
14 One Energy's property.

15 MR. EVANS: Oh, okay. See, I thought there  
16 was one around Ball Metal.

17 MS. LAND: I think there's an AEP power  
18 station there, too.

19 MR. EVANS: Right in front of Ball Metal.

20 CHAIRPERSON TIMMERMAN: Oh, yeah. Probably  
21 like right there probably. Well --

22 MS. LAND: No, it might be farther over to  
23 the west.

24 CHAIRPERSON TIMMERMAN: This one

1 (indicating)?

2 SECRETARY STACY: Does it say on there?

3 MS. LAND: It doesn't matter. They are what  
4 they are.

5 SECRETARY STACY: Correct.

6 CHAIRPERSON TIMMERMAN: Just like make it  
7 all I-1.

8 SECRETARY STACY: Probably.

9 MR. EVANS: Like he said, I don't know if  
10 we're doing the City of Findlay a favor.

11 CHAIRPERSON TIMMERMAN: Well, I mean, they  
12 are what they are. They are already there.

13 MR. EVANS: Uh-huh.

14 CHAIRPERSON TIMMERMAN: How about these  
15 houses? I mean, they are what they are, too.

16 SECRETARY STACY: That's residential.

17 CHAIRPERSON TIMMERMAN: Do you keep it -- do  
18 you make Residential right there? Okay.

19 SECRETARY STACY: R-1.

20 CHAIRPERSON TIMMERMAN: So --

21 MR. EVANS: You probably -- do you have to  
22 follow the property lines? You probably do, don't  
23 you?

24 MS. LAND: No, not necessarily.



1 MR. EVANS: Well, I'm just saying, like,  
2 where there are about ten houses that back up to  
3 Whirlpool, so should we have the R line go right on  
4 the property line, or do you make the R line go into  
5 Whirlpool's property?

6 MS. LAND: I'd say right at the property  
7 line.

8 CHAIRPERSON TIMMERMAN: That would be  
9 easier.

10 MS. PARGEON: Yeah. Always the property  
11 line.

12 SECRETARY STACY: Uh-huh.

13 CHAIRPERSON TIMMERMAN: Then we're going to  
14 do all of this here I-1?

15 MS. PARGEON: Yeah.

16 CHAIRPERSON TIMMERMAN: It's already --

17 MR. EVANS: That's Lowe's Distribution  
18 Center.

19 CHAIRPERSON TIMMERMAN: How about this down  
20 here? What are we -- I don't really know what sits  
21 here.

22 MR. EVANS: That's open space beside the --  
23 like, where that packaging place is, isn't it?

24 CHAIRPERSON TIMMERMAN: I think you're

1 right.

2 MR. EVANS: See the packaging, and, then,  
3 the dental office would be that light blue or the one  
4 beside it.

5 CHAIRPERSON TIMMERMAN: Yeah.

6 SECRETARY STACY: R-3? I don't know.

7 MR. EVANS: So it's basically the land from  
8 there to --

9 SECRETARY STACY: I meant B-3.

10 CHAIRPERSON TIMMERMAN: Yeah. All  
11 right. You know what? I think B-3 is not a bad idea.  
12 It kind of goes in line with what's already there.

13 MS. PARGEON: Go ahead and make it that.

14 CHAIRPERSON TIMMERMAN: So we'll do this  
15 whole section B-3.

16 MS. PARGEON: Uh-huh.

17 SECRETARY STACY: Sure.

18 CHAIRPERSON TIMMERMAN: I don't know what  
19 that one is. But...

20 MR. EVANS: That's the railroad.

21 CHAIRPERSON TIMMERMAN: This here? This is  
22 the railroad.

23 MR. EVANS: Valfilm is probably --

24 CHAIRPERSON TIMMERMAN: Valfilm?

1           SECRETARY STACY: Yeah. Valfilm is on  
2 there. East side of -- well, wait.

3           MR. EVANS: There's 220. This is a railroad  
4 track I think. So it would be what -- I think it's --  
5 maybe they own some property right on the back side of  
6 the railroad tracks.

7           CHAIRPERSON TIMMERMAN: Valfilm owns that,  
8 you're thinking?

9           MR. EVANS: I'm guessing.

10          CHAIRPERSON TIMMERMAN: Are we making  
11 Valfilm --

12          MS. LAND: Are there still tracks there, or  
13 is it just where a track was?

14          MR. EVANS: No, the tracks are there.

15          CHAIRPERSON TIMMERMAN: Valfilm, can we just  
16 make it I-1 since that's where it already is?

17          MR. EVANS: Sure. Our next darker one,  
18 that's where Sheetz is going.

19          CHAIRPERSON TIMMERMAN: That's Sheetz, but  
20 it's annexed in.

21          MS. LAND: It's annexed.

22          CHAIRPERSON TIMMERMAN: Are we thinking a  
23 lot of Agricultural at that point?

24          MS. PARGEON: Yeah.

1 SECRETARY STACY: Where are you looking at?

2 CHAIRPERSON TIMMERMAN: Agricultural going  
3 up.

4 SECRETARY STACY: Yeah, I think so.

5 MR. EVANS: I mean, really what's -- mostly  
6 what's left -- it seems like, if anything, maybe --  
7 I don't know if you want to trust anything on 220.  
8 This is all Residential. I mean, I guess, just like  
9 Dark Horse area and that. That was down there.

10 CHAIRPERSON TIMMERMAN: Uh-huh. Dark Horse  
11 was down here.

12 MR. EVANS: So this will stay Agricultural?

13 CHAIRPERSON TIMMERMAN: I think so.

14 MR. EVANS: I don't think you really want to  
15 touch this.

16 MS. LAND: What's that green section?

17 CHAIRPERSON TIMMERMAN: This is a  
18 campground.

19 SECRETARY STACY: Okay.

20 MS. PARGEON: No. Wilkinson's campground.

21 MR. EVANS: The guy that was here?

22 SECRETARY STACY: Uh-huh.

23 CHAIRPERSON TIMMERMAN: Yeah. Is  
24 campground, like, is that Agricultural is where that

1 would typically go? Is there a certain district?

2 MS. PARGEON: It's always been a woods.

3 CHAIRPERSON TIMMERMAN: Is there a certain  
4 district best for a campground?

5 MS. LAND: I don't know that campground was  
6 listed as permitted in Agricultural. Is it?

7 MR. EVANS: Page 12, Principal Uses. Well,  
8 No. 2 says Public. No, that's publicly owned.

9 Publicly owned park is -- I don't see where  
10 it would be in Agricultural. I mean privately owned.

11 CHAIRPERSON TIMMERMAN: Say that again.

12 MR. EVANS: I don't see that that would be  
13 in Agricultural, a campground, unless it was publicly  
14 owned. Since it's privately owned it must go in a  
15 business district.

16 MS. LAND: I don't know that we addressed  
17 campgrounds anywhere, did we?

18 MS. PARGEON: No.

19 CHAIRPERSON TIMMERMAN: I don't remember,  
20 and that's why I'm --

21 MS. PARGEON: So we probably ought to decide  
22 where you would want to have campgrounds.

23 CHAIRPERSON TIMMERMAN: I mean, because  
24 you've got a campground here and here (indicating).

1 MS. LAND: If that went public, that's ODNR  
2 campground then.

3 MS. PARGEON: That's a State park.

4 CHAIRPERSON TIMMERMAN: There's a second one  
5 right there, too, I thought you guys said.

6 MS. PARGEON: Oh, McCracken. Pleasant View.

7 MR. EVANS: Yeah. This is actually the  
8 State.

9 SECRETARY STACY: Uh-huh.

10 MR. EVANS: This is privately owned as far  
11 as I know.

12 SECRETARY STACY: Yeah. Correct.

13 MR. EVANS: The map maybe shows it.

14 SECRETARY STACY: Yeah.

15 MS. LAND: You could make it a Conditional  
16 Use in Agricultural.

17 CHAIRPERSON TIMMERMAN: I think that would  
18 be the best, smartest.

19 MS. PARGEON: That would be the best way to  
20 go with it.

21 CHAIRPERSON TIMMERMAN: Since we're going to  
22 probably continue Agricultural on, they are going to  
23 be in it. I think that makes more sense.

24 MS. LAND: And, then, if they ever cease to

1 be a campground, they are still in Agricultural. They  
2 haven't left a spot in the middle of nowhere that  
3 could be a business or something that you don't have  
4 any control over.

5 CHAIRPERSON TIMMERMAN: Yeah. Do you want  
6 to make a note?

7 MS. LAND: I'm going to make a note to  
8 add --

9 MR. EVANS: Somewhere about Page 12 or 13?

10 MS. LAND: Uh-huh. Put privately owned and  
11 licensed.

12 MR. EVANS: Oh.

13 MS. PARGEON: Uh-huh.

14 MS. LAND: Because they have to be licensed  
15 by the Board of Health.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. LAND: But we don't --

18 MS. PARGEON: They are licensed.

19 MS. LAND: Yeah. Both of those are. But we  
20 don't want to allow in Agricultural districts  
21 non-accessory licensed campgrounds, because then you  
22 get the pop-ups of, you know, 10, 15, people hanging  
23 out on weekends, drinking beer, making bonfires, and  
24 that causes lots of problems.

1 CHAIRPERSON TIMMERMAN: Okay. So we're  
2 going to do a little bit -- a little bit of  
3 Residential here, and, then, we got this. Do we like  
4 that?

5 MS. PARGEON: Yeah. You did good.

6 MR. EVANS: And I think the only thing to  
7 address is what we haven't addressed maybe on 613.

8 MS. LAND: You may want to look around  
9 Van Buren about the residential issues because there  
10 is a whole subdivision that's outside.

11 CHAIRPERSON TIMMERMAN: Out here.

12 SECRETARY STACY: To the north.

13 CHAIRPERSON TIMMERMAN: Yeah. I mean -- and  
14 I think it's only a matter of time until this gets  
15 evolved into it.

16 SECRETARY STACY: This is right across --

17 MS. PARGEON: Right. Yeah, that's right  
18 there.

19 CHAIRPERSON TIMMERMAN: Right. Do we want  
20 to -- does it make sense to make this residential? I  
21 mean, that -- who knows how long it takes for --

22 MS. LAND: It can still be used --

23 MS. PARGEON: They're still growing --

24 MS. LAND: -- if somebody decides to develop



1 it.

2 CHAIRPERSON TIMMERMAN: You're right,  
3 there's water, sewer. Everything is already out  
4 there. This would be a prime spot, too.

5 MR. EVANS: I think this is actually a  
6 township plan that the trustees own.

7 SECRETARY STACY: It is.

8 MR. EVANS: So yeah.

9 CHAIRPERSON TIMMERMAN: This whole section.

10 SECRETARY STACY: So if the township owns  
11 property, we wouldn't be exempt from --

12 MS. LAND: Doesn't matter what you make it.

13 SECRETARY STACY: Right. So we don't need  
14 to address this right here. This is owned by the  
15 township.

16 CHAIRPERSON TIMMERMAN: So is this the  
17 property line we want to follow? Any thoughts?

18 MR. EVANS: This is --

19 CHAIRPERSON TIMMERMAN: There's a little  
20 horse thing there.

21 MS. PARGEON: Oh, that's the --

22 MR. EVANS: That's that guy with the  
23 factory. I don't know what he makes there. Oh, this  
24 is that -- they used to make cushions or something at

1 this one.

2 MS. PARGEON: Yeah. It used to be in  
3 Van Buren, and, then, they moved out.

4 FROM THE FLOOR: Benna.

5 MS. PARGEON: Benna. Yeah.

6 FROM THE FLOOR: And there's a rubber place  
7 right across the street from it.

8 MR. EVANS: Right.

9 CHAIRPERSON TIMMERMAN: Told you it was  
10 only a matter of time.

11 MR. EVANS: Still be able to keep it.

12 SECRETARY STACY: Is that R-1? I don't  
13 know. Would you want to make that R-1?

14 MR. EVANS: The road actually dead-ends  
15 there where --

16 CHAIRPERSON TIMMERMAN: To expand it.

17 SECRETARY STACY: Yeah.

18 MS. PARGEON: They'll be expanding more  
19 probably.

20 CHAIRPERSON TIMMERMAN: I think it makes  
21 sense for this to be R-1.

22 MS. PARGEON: Yes.

23 CHAIRPERSON TIMMERMAN: And this to be R-1.

24 MS. LAND: Usually in any subdivision where

1 there's a dead-end road, it's a stub that's supposed  
2 to be extended. Kind of like the one we were talking  
3 about earlier.

4 MR. EVANS: There's actually three stubs.  
5 See, this is the railroad tracks. I don't know if you  
6 take that all the way to there because there's no  
7 access.

8 CHAIRPERSON TIMMERMAN: (Unintelligible)  
9 stopping point.

10 MR. EVANS: Right, because you can't cross.

11 CHAIRPERSON TIMMERMAN: That's a good --

12 SECRETARY STACY: You know what?

13 CHAIRPERSON TIMMERMAN: Is that the railroad  
14 track?

15 SECRETARY STACY: Make this and this R-1.  
16 We can't do anything here, and this be the Ag.

17 MS. PARGEON: Yeah. That would be good.

18 MR. EVANS: So this square? Is that what  
19 you're saying?

20 SECRETARY STACY: Yeah. This --

21 CHAIRPERSON TIMMERMAN: What you want to do  
22 with this guy?

23 MR. EVANS: That's Benna.

24 CHAIRPERSON TIMMERMAN: I think this goes to

1 your spot zoning.

2 MS. LAND: Just leave it at Ag.

3 MS. PARGEON: Yeah.

4 CHAIRPERSON TIMMERMAN: Leave this guy Ag?

5 MS. PARGEON: Uh-huh.

6 CHAIRPERSON TIMMERMAN: Are we doing this  
7 R-1? I think we all agree that this is R-1 and this  
8 is R-1.

9 SECRETARY STACY: Yeah.

10 MS. PARGEON: Yeah.

11 MS. LAND: It makes sense that anything  
12 between there and the Village of Van Buren would be  
13 contemplated to be R-1.

14 MS. PARGEON: Sure.

15 CHAIRPERSON TIMMERMAN: This section down  
16 here, and even though these are --

17 MR. EVANS: Townships.

18 CHAIRPERSON TIMMERMAN: -- township, it  
19 doesn't matter what we zone them.

20 MS. LAND: Just leave it Ag.

21 CHAIRPERSON TIMMERMAN: Leave that Ag?

22 MS. PARGEON: Yeah.

23 CHAIRPERSON TIMMERMAN: So do this as R-1  
24 here. And, then, to --

1 MS. LAND: Did you fit any R-2 or  
2 Multi-Family?

3 SECRETARY STACY: Uh-huh.

4 CHAIRPERSON TIMMERMAN: We have Multi-Family  
5 right here.

6 MS. LAND: We don't have R-2.

7 CHAIRPERSON TIMMERMAN: We don't have an  
8 R-2.

9 MS. LAND: Right.

10 MR. EVANS: RM.

11 CHAIRPERSON TIMMERMAN: R-1 is down here.

12 And, to Dave's point, if there's a railroad  
13 track here, you could just bring this all the way  
14 back, or we could just leave it there. I'm okay with  
15 leaving it Ag, too.

16 SECRETARY STACY: Leave it Ag.

17 MR. EVANS: It's actually a woods.

18 MS. LAND: Leave it Ag. And, then, when you  
19 do your Future Plan Map, where you think things might  
20 go, make it Residential then, because it would make  
21 some sense that some of that out around there would  
22 grow in the village.

23 CHAIRPERSON TIMMERMAN: I'm going to write  
24 R-1 down here.

1 MS. PARGEON: It has grown a lot.

2 CHAIRPERSON TIMMERMAN: Okay.

3 MR. EVANS: So what do you do when there's  
4 -- do you try to make that an R-1?

5 CHAIRPERSON TIMMERMAN: No. It's --

6 MR. EVANS: Leave that, make it Ag.

7 CHAIRPERSON TIMMERMAN: All of these would  
8 be R-1. It's Agricultural --

9 MR. EVANS: So really --

10 CHAIRPERSON TIMMERMAN: -- with residential  
11 use.

12 MR. EVANS: What's left then? 613 and maybe  
13 something here?

14 SECRETARY STACY: Yeah, I'd say.

15 CHAIRPERSON TIMMERMAN: How are we doing on  
16 time?

17 SECRETARY STACY: It's 7:15.

18 CHAIRPERSON TIMMERMAN: Not terrible. So...

19 MR. EVANS: It seems like this should be  
20 either a business or -- I mean, by Home Depot.

21 CHAIRPERSON TIMMERMAN: I would still  
22 consider a little Industrial up there, too.

23 MR. EVANS: But we could stop it. I mean,  
24 do we stop it right here just to make it a little more

1 of a buffer?

2 SECRETARY STACY: Yeah, I would. You can  
3 make an argument for either B-3 or I-1.

4 MS. LAND: How about Expressway Service?

5 SECRETARY STACY: Well, you could make that  
6 argument, too.

7 CHAIRPERSON TIMMERMAN: Are you saying just  
8 these two, then, or are you saying just that one?

9 SECRETARY STACY: That one.

10 CHAIRPERSON TIMMERMAN: I think if you're  
11 only going to do one, I would do Expressway Services  
12 through here.

13 SECRETARY STACY: Okay.

14 MS. LAND: Industrial isn't usually that  
15 keen on being right that tight up on, other than,  
16 like, the distribution center. And they'll need  
17 way --

18 CHAIRPERSON TIMMERMAN: On the Interstate,  
19 you're saying?

20 MS. LAND: -- more room -- yeah. They would  
21 need way more room than that.

22 CHAIRPERSON TIMMERMAN: Okay. So ES here.

23 SECRETARY STACY: Okay.

24 MR. EVANS: Yeah. But stop it right there.

1 CHAIRPERSON TIMMERMAN: Yeah. And, then --

2 MR. EVANS: Do you put I-1 there? Is that  
3 what that is?

4 CHAIRPERSON TIMMERMAN: It would be an I-1  
5 probably use.

6 MR. EVANS: Kind of like your mark -- might  
7 as well just mark this I-1, right?

8 CHAIRPERSON TIMMERMAN: Sure.

9 SECRETARY STACY: Do you want to do anything  
10 right in here (indicating)?

11 MS. LAND: Where is 75?

12 SECRETARY STACY: Right here.

13 MS. LAND: So it's on the opposite side of  
14 75.

15 SECRETARY STACY: It runs right alongside,  
16 right next to it.

17 CHAIRPERSON TIMMERMAN: What does?

18 MR. EVANS: It's across the road from the  
19 adult bookstore.

20 SECRETARY STACY: Right across from the  
21 adult bookstore. There you go.

22 CHAIRPERSON TIMMERMAN: What's that, though?  
23 What are you saying?

24 SECRETARY STACY: Right now it's Ag. So the



1 question is --

2 MS. LAND: Too bad you can't zone for  
3 churches.

4 MS. PARGEON: Yeah.

5 MR. EVANS: There's a church right there.

6 SECRETARY STACY: Yeah. Yeah. There's one  
7 just down just a little bit, too.

8 MS. PARGEON: That's an Agricultural use.

9 CHAIRPERSON TIMMERMAN: So --

10 SECRETARY STACY: Do we want Express Service  
11 here? Do you want a B-3 there?

12 CHAIRPERSON TIMMERMAN: I feel like a little  
13 bit of anything could go right there.

14 MR. EVANS: It's going to be tough to build  
15 on.

16 SECRETARY STACY: It is. It's a --

17 MR. EVANS: It's not our issues. It's down  
18 in a gully.

19 SECRETARY STACY: But, again --

20 MS. LAND: (Unintelligible) Walmart on the  
21 west side before they --

22 SECRETARY STACY: Yeah. There was a pond  
23 there. They built it over the -- well, they built in  
24 the pond, I guess. Whatever.

1 MR. EVANS: So is that what you want to do,  
2 an ES here?

3 CHAIRPERSON TIMMERMAN: Or do you want to  
4 get any business around the town at all, or do you  
5 want to do ES?

6 MS. LAND: Make it ES, you might get a  
7 McDonald's.

8 CHAIRPERSON TIMMERMAN: That's what I'm  
9 hoping for.

10 MS. PARGEON: We got a McDonald's in  
11 Baltimore already.

12 CHAIRPERSON TIMMERMAN: Maybe not a  
13 McDonald's, but something.

14 MS. LAND: Something with drive-thru. A  
15 little higher aspiration.

16 MS. PARGEON: Okay.

17 CHAIRPERSON TIMMERMAN: I'll take what I can  
18 get right now.

19 MS. PARGEON: Okay. Go for it.

20 CHAIRPERSON TIMMERMAN: Are people good  
21 with -- you want to do ES all the way around? If you  
22 make them ES, there's an opportunity for a McDonald's.  
23 If you only make one, then McDonald's has to go here  
24 because this guy doesn't want to sell.

1 SECRETARY STACY: Okay. All right. Then  
2 make it --

3 CHAIRPERSON TIMMERMAN: It gives you kind  
4 of --

5 SECRETARY STACY: -- Expressway Service.

6 CHAIRPERSON TIMMERMAN: You want to do that  
7 all the way around?

8 MS. PARGEON: Yeah. Yeah. Because, that  
9 way, you get back on the expressway and go.

10 CHAIRPERSON TIMMERMAN: No arguments?

11 MR. EVANS: Yeah.

12 MS. LAND: I have this urge to say where  
13 name brand are being suggested, like kind equivalents  
14 are acceptable.

15 MR. EVANS: A disclaimer.

16 CHAIRPERSON TIMMERMAN: So do ES here. Here  
17 also?

18 MS. PARGEON: Yeah.

19 CHAIRPERSON TIMMERMAN: And up here?

20 MS. PARGEON: Uh-huh.

21 CHAIRPERSON TIMMERMAN: Do you want this --  
22 do you want -- I think, do these come down to this  
23 property line here on ES?

24 MR. EVANS: That's a long way.

1 MS. LAND: That would be a long way for  
2 them.

3 CHAIRPERSON TIMMERMAN: So you want to split  
4 them?

5 MS. PARGEON: Yeah. Right there. Right  
6 there. Right where you're at.

7 SECRETARY STACY: This is actually where  
8 they wanted to bring in contaminated soil.

9 MS. PARGEON: We don't want contaminated  
10 soil.

11 SECRETARY STACY: No, I know.

12 CHAIRPERSON TIMMERMAN: Well, it wouldn't be  
13 allowed in that district.

14 MS. LAND: You could maybe -- if you look  
15 at -- think that it's going to be some sort of  
16 business there, you could go from ES to a business  
17 district of some sort for the rest of it. Some sort  
18 of lead out into --

19 CHAIRPERSON TIMMERMAN: Back here?

20 MS. LAND: Yeah.

21 MS. PARGEON: Yeah. That would be good.

22 CHAIRPERSON TIMMERMAN: Is that what we're  
23 going to do?

24 MS. PARGEON: Yeah.

1 CHAIRPERSON TIMMERMAN: Draw a line there  
2 for ES. Is ES getting a line here?

3 MS. PARGEON: Yes.

4 MR. EVANS: Yeah.

5 CHAIRPERSON TIMMERMAN: And, then, what do  
6 you want to do down here? It could be Ag.

7 MS. PARGEON: Leave it Ag.

8 MR. EVANS: I'd leave it Ag --

9 MS. PARGEON: Yeah.

10 MR. EVANS: -- just because it's going to be  
11 hard to get -- you'd have to drive through the ES to  
12 get to it.

13 SECRETARY STACY: I'd leave it Ag.

14 MR. EVANS: You know, unless a road went in,  
15 and, then, that's kind of a development, isn't it,  
16 too, at that point?

17 SECRETARY STACY: Kind of a planned unit  
18 thing maybe.

19 MS. LAND: So the gentleman that came to the  
20 meeting and was quite insistent about he's going to be  
21 ES.

22 CHAIRPERSON TIMMERMAN: At this point.

23 MS. LAND: I think that gives him some  
24 options. That's what he was concerned about. So...

1 CHAIRPERSON TIMMERMAN: I do, too. He wants  
2 to be able to -- technically this property comes all  
3 the way down now.

4 MS. LAND: He has other options, too.

5 CHAIRPERSON TIMMERMAN: Given that we have  
6 houses here, do we make R-1 come across here?

7 MS. LAND: Do you want to do it now, or put  
8 it on your Future Use Map?

9 CHAIRPERSON TIMMERMAN: Future.

10 MR. EVANS: I'm surprised this village  
11 hasn't taken that because I thought I heard something  
12 about the village taking this.

13 CHAIRPERSON TIMMERMAN: They didn't take it.  
14 There's some weird --

15 SECRETARY STACY: Yeah.

16 MS. LAND: Yeah.

17 SECRETARY STACY: Cross that road.

18 MS. LAND: That Meadow Ridge, though, will  
19 definitely be covered by your zoning. They have some  
20 sort of agreement, apparently, that they're following  
21 the village's zoning, but won't be able to stay with  
22 that. It will have to go to -- keeping them  
23 residential is the best thing you can do at this  
24 point.

1 CHAIRPERSON TIMMERMAN: Keeping them similar  
2 as possible.

3 MS. LAND: So they won't have much of a  
4 difference.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MR. EVANS: You want to address any of this  
7 or leave it alone?

8 CHAIRPERSON TIMMERMAN: I'm okay with --

9 MS. PARGEON: Leave it all Agricultural.

10 MR. EVANS: Because, like I said, the  
11 highway is at -- the exit is actually up here a little  
12 bit.

13 CHAIRPERSON TIMMERMAN: It's only one --  
14 like, one property further.

15 MR. EVANS: I'm just looking to see what we  
16 have for business.

17 CHAIRPERSON TIMMERMAN: This is -- this is  
18 part of the --

19 MS. LAND: What did you tell me that red  
20 line is up there?

21 CHAIRPERSON TIMMERMAN: Concrete. Over  
22 here?

23 MS. LAND: Yeah.

24 MR. EVANS: This one?

1 CHAIRPERSON TIMMERMAN: I think it says  
2 "mobile home" based on this.

3 MS. LAND: Oh, it's just a -- that's  
4 confusing.

5 MR. EVANS: That's up by the North Baltimore  
6 Golf Course, isn't it?

7 CHAIRPERSON TIMMERMAN: I don't know where  
8 that falls. It's not got to be close, though.

9 SECRETARY STACY: I personally think you  
10 could make an argument for B-3 if you want to just do  
11 something.

12 MR. EVANS: Like this?

13 SECRETARY STACY: Yeah.

14 CHAIRPERSON TIMMERMAN: Do we want this --

15 SECRETARY STACY: Do we have -- I guess the  
16 question is: Do you feel that there's enough land  
17 dedicated to Business? I'm just -- I'm just asking.

18 CHAIRPERSON TIMMERMAN: And I'm going to  
19 throw out Industrial as well, because there's not --

20 SECRETARY STACY: Okay.

21 CHAIRPERSON TIMMERMAN: Because it's pretty  
22 much your I-1 section down here, you have a little bit  
23 here, but this is -- this is the only -- from what  
24 I can tell, the only what I'll call open lot. But



1 I think it's based on what my interpretation of what  
2 people said was it might be owned by the same people.  
3 So there's not really much room for expansion of Light  
4 Industrial. So...

5 MS. LAND: Is it up there to the north where  
6 you were discussing how Industrial would be there?

7 CHAIRPERSON TIMMERMAN: Out there? That's  
8 -- I mean --

9 MS. LAND: On the north --

10 SECRETARY STACY: Yeah.

11 MS. LAND: -- east side.

12 SECRETARY STACY: Further north where the  
13 Interstate --

14 MR. EVANS: Here's I-75.

15 CHAIRPERSON TIMMERMAN: I was talking out  
16 here.

17 SECRETARY STACY: I think you're getting too  
18 far out for Ag.

19 MR. EVANS: I mean, I'm thinking this is --

20 CHAIRPERSON TIMMERMAN: But you're not next  
21 to anybody's house. Nobody is going to be offended  
22 out here.

23 MS. LAND: And that purple space is what?

24 CHAIRPERSON TIMMERMAN: ODNR.

1 MR. EVANS: You'd have to put in some roads  
2 and that kind of stuff.

3 MS. LAND: They would anyway.

4 MR. EVANS: I mean, it seems like -- it's up  
5 to you, but it just seems like a little of a bit weird  
6 spot to me.

7 CHAIRPERSON TIMMERMAN: Okay.

8 SECRETARY STACY: Yeah.

9 CHAIRPERSON TIMMERMAN: I just think it's  
10 out of the way. Nobody's -- nobody's offended by it  
11 there.

12 MS. LAND: And it's most likely not going to  
13 get gobbled up by a municipality.

14 CHAIRPERSON TIMMERMAN: Right.

15 SECRETARY STACY: Right. Being on the north  
16 side. I mean, there's some other things going on.

17 CHAIRPERSON TIMMERMAN: If you zone it  
18 Industrial, it can still be used for Agricultural.

19 SECRETARY STACY: Of course.

20 CHAIRPERSON TIMMERMAN: There's nothing  
21 stopping it. I mean, it's all farms out there.  
22 There's nothing stopping it from being what it  
23 currently is.

24 SECRETARY STACY: Then the flip-side

1 argument is you're going further away from, like,  
2 major thoroughfares and --

3 CHAIRPERSON TIMMERMAN: Well, you --

4 SECRETARY STACY: -- you're getting --

5 CHAIRPERSON TIMMERMAN: -- you have 613 here  
6 and you have 18 here.

7 SECRETARY STACY: Yes, I know.

8 CHAIRPERSON TIMMERMAN: You have main --

9 MS. PARGEON: Main roads. Yeah.

10 CHAIRPERSON TIMMERMAN: -- roadways there,  
11 too.

12 How close does industry want to be? I mean,  
13 if you look at this here, I mean, you got -- just put  
14 in Sheetz out here. This is -- this is further away  
15 from the Interstate than -- the Interstate veers over,  
16 so it's about the same distance.

17 MS. LAND: And there's an exchange with it  
18 too. That's the North Baltimore exchange.

19 CHAIRPERSON TIMMERMAN: Yeah. You got two  
20 main gas stations there. You have McDonald's there.  
21 Everybody's favorite.

22 MS. LAND: Now they've arrived. They got a  
23 McDonald's.

24 CHAIRPERSON TIMMERMAN: Yeah. We don't. So

1 I don't know.

2 Oh, we already got a hand up.

3 FROM THE FLOOR: No. I work in Toledo a  
4 lot. And, don't worry about where I-2 is. Just send  
5 them somewhere and they'll flourish. As long as you  
6 can get there on a road, it doesn't matter where  
7 they're at.

8 CHAIRPERSON TIMMERMAN: I-2 or I-1?

9 FROM THE FLOOR: I-2, I-1. They don't need  
10 an access. I mean, as long as --

11 MS. LAND: They create --

12 FROM THE FLOOR: Shoot. I can see the  
13 refinery from the highway. You know, so as long as  
14 there's a way to get there, just put them somewhere.  
15 You know, people will drive.

16 MS. LAND: Actually that spot you were  
17 talking about with its access to the interchange up  
18 there and 613, they really are in a relatively good --  
19 and they have access to water and sewer coming out of  
20 Van Buren.

21 CHAIRPERSON TIMMERMAN: We were discussing  
22 kind of this region up here. You have 613 and 18 is  
23 here. So I'm not saying there necessarily all of  
24 that's the area if anybody's confused where we are

1 talking.

2 MR. EVANS: Kind of mostly north of Township  
3 Road 114.

4 FROM THE FLOOR: What's that purple spot?

5 CHAIRPERSON TIMMERMAN: Ohio -- the Natural  
6 Resource --

7 MS. LAND: Something ODNR.

8 CHAIRPERSON TIMMERMAN: Department of  
9 Natural Resources. It will basically stay woods.

10 I don't think we want to get it like right  
11 here --

12 SECRETARY STACY: No.

13 CHAIRPERSON TIMMERMAN: -- with all of this.

14 FROM THE FLOOR: No. Where's the train  
15 track?

16 CHAIRPERSON TIMMERMAN: Over here  
17 (indicating). Is there train track up here, too?

18 SECRETARY STACY: Yes. It's in Wood County.

19 MR. EVANS: The big CSX one.

20 SECRETARY STACY: That's huge that goes  
21 through North Baltimore and, then, goes out on the  
22 east side.

23 FROM THE FLOOR: That's why you need more  
24 access to industry somewhere near the Interstate and

1 access to that railroad system up there.

2 MS. LAND: Yeah. He's right.

3 CHAIRPERSON TIMMERMAN: What are you saying?

4 FROM THE FLOOR: A lot of traffic going  
5 through, like, residential and small, you know --

6 FROM THE FLOOR: Right where you were  
7 talking.

8 FROM THE FLOOR: The main roads.

9 CHAIRPERSON TIMMERMAN: You like it or don't  
10 like it?

11 FROM THE FLOOR: I do like it, if you do the  
12 main roads.

13 CHAIRPERSON TIMMERMAN: You've got 18 right  
14 here. I think it's just above -- just off the color  
15 there, so 18's right there.

16 MS. LAND: And close enough to that CSX  
17 stuff up in North Baltimore to be actually probably a  
18 good spot.

19 CHAIRPERSON TIMMERMAN: If you took this  
20 whole spot here, you got no houses through here, you  
21 got one house right there.

22 FROM THE FLOOR: Yeah.

23 CHAIRPERSON TIMMERMAN: And you're still a  
24 pretty good distance away from any -- you know, any

1 bigger residential.

2 FROM THE FLOOR: It's not likely to convert  
3 tomorrow, so that one house, you know --

4 CHAIRPERSON TIMMERMAN: Who knows what  
5 happens over the next how many years.

6 MS. PARGEON: Yeah.

7 MS. LAND: If it's good enough, they'll  
8 offer them the kind of money they get -- you know,  
9 like --

10 MR. EVANS: They're happy to move.

11 MS. PARGEON: Yeah.

12 MS. LAND: They're fine with that.

13 MR. EVANS: Do you want 229 to where it  
14 says -- to the township line?

15 CHAIRPERSON TIMMERMAN: To here?

16 MR. EVANS: Yeah. And, then, 14 to the  
17 township line.

18 CHAIRPERSON TIMMERMAN: Do you --

19 MR. EVANS: Is that what you're thinking?

20 SECRETARY STACY: I would keep it a little  
21 closer to the Interstate. I wouldn't go clear to the  
22 edge of the township. I'd back it up.

23 MR. EVANS: Go up to Township Road 281?

24 CHAIRPERSON TIMMERMAN: You're wanting to

1 here (indicating)? Like half of that?

2 SECRETARY STACY: Well, I don't want --  
3 I certainly don't want to go clear to Bairdstown. I  
4 don't think that makes sense. I know. Get other  
5 input.

6 FROM THE FLOOR: That makes sense. Stay  
7 away from that.

8 FROM THE FLOOR: So you've got to think  
9 about truck traffic and things like that. That's why  
10 you want it on the main roads, closer to the highway.

11 MS. LAND: If you're close enough to the  
12 railroad that comes down through here, they can build  
13 spurs and get themselves to where they want to be.

14 MR. EVANS: If you did that, you could go  
15 all the way to --

16 CHAIRPERSON TIMMERMAN: What are you saying  
17 you would do?

18 FROM THE FLOOR: I'm saying you don't  
19 want -- this I-2 and I-1, right, you're talking?

20 CHAIRPERSON TIMMERMAN: Just I-1.

21 FROM THE FLOOR: Yeah. Keep it close to,  
22 like, the main roads so you don't have truck traffic  
23 just barreling down, you know.

24 MS. LAND: I think he's talking farther to



1 the west.

2 CHAIRPERSON TIMMERMAN: So you'd keep it  
3 this way (indicating)?

4 FROM THE FLOOR: Yeah. Close to the  
5 highway.

6 CHAIRPERSON TIMMERMAN: But you've got a lot  
7 more residential here, and people don't want it across  
8 from their house. That's the reason I proposed out  
9 here. But...

10 MR. EVANS: So if you stopped at 281. See  
11 where 281 is?

12 CHAIRPERSON TIMMERMAN: Coming all the way  
13 to here?

14 MR. EVANS: Yeah. That's about where the  
15 houses start. The only thing is is the spur of the  
16 railroad track is just beyond that.

17 SECRETARY STACY: Yeah, it is. It's to the  
18 north.

19 MR. EVANS: It's that dark line that you  
20 see.

21 CHAIRPERSON TIMMERMAN: This here  
22 (indicating)?

23 MR. EVANS: Yeah. That's the railroad  
24 track.

1 SECRETARY STACY: Right.

2 MR. EVANS: So you could actually go to the  
3 railroad -- go to the railroad if you wanted to. I  
4 mean, like, go to the railroad track, and, then, go  
5 somewhere in the center, like what you were saying.

6 SECRETARY STACY: (Unintelligible).

7 MS. LAND: Uh-huh. Okay.

8 SECRETARY STACY: Because that's what scares  
9 me to death. Put something like that next to --

10 MR. EVANS: Well, if you went from the  
11 railroad spur, that's just to 281, to somewhere there  
12 (indicating). And somebody said, Don't go to  
13 Bairdstown, so I don't know if you'd take a random  
14 spot close to one of those two gray shaded areas.

15 MS. LAND: Why are those gray-shaded?

16 MR. EVANS: That's a good -- they're not --

17 CHAIRPERSON TIMMERMAN: They're not up here.

18 MS. LAND: So it must be --

19 CHAIRPERSON TIMMERMAN: I think it's what  
20 the current end use is, what it looks like.

21 MS. LAND: Okay. It could be woods.

22 CHAIRPERSON TIMMERMAN: I bet they are  
23 woods.

24 MR. EVANS: Yeah, because that's a

1 photograph.

2 CHAIRPERSON TIMMERMAN: Uh-huh.

3 MR. EVANS: You see where I'm talking about?

4 So you want to go railroad tracks to something?

5 CHAIRPERSON TIMMERMAN: I think it's weird  
6 to have one random Agricultural there. But...

7 MR. EVANS: So do you go to 229?

8 CHAIRPERSON TIMMERMAN: Just this section  
9 here?

10 MR. EVANS: Yeah.

11 CHAIRPERSON TIMMERMAN: I mean, I --

12 MS. LAND: That's kind of small for  
13 Industrial.

14 MR. EVANS: Yeah. Right.

15 CHAIRPERSON TIMMERMAN: I mean, this is,  
16 again, what I consider the prime spot that you're not  
17 offending anybody up here.

18 MR. EVANS: Why didn't we want to go to  
19 Bairdstown or to that --

20 FROM THE FLOOR: Do they have water?

21 MR. EVANS: What's that?

22 FROM THE FLOOR: Do they have water and  
23 sewage?

24 MR. EVANS: We have water out to here

1 (indicating).

2 MS. LAND: The Village of Van Buren has  
3 water set up coming from the City of Findlay, and they  
4 have agreements with the City of Findlay to be able to  
5 sell water off to users out in that direction; so  
6 there would be, for a major development, I think  
7 access to water and sewer.

8 SECRETARY STACY: So do we -- have we agreed  
9 to how far south we're coming down? The question is  
10 how far east is that?

11 MR. EVANS: Right. Because we're coming  
12 down to 114, I thought.

13 SECRETARY STACY: Okay. Right.

14 MR. EVANS: And, then, up to the line -- the  
15 township line.

16 SECRETARY STACY: Right.

17 MR. EVANS: And, then, maybe from the  
18 railroad spur, which is just west of 280. Yeah.  
19 Right there. And, then, where do you want to stop  
20 going east? To the township line or do you want to go  
21 somewhere between 114 and the township line? Or, I  
22 mean, 229 and the township line?

23 SECRETARY STACY: You guys tell me. Do you  
24 want to do a show of hands? What do you want? I

1 mean, how do you want --

2 CHAIRPERSON TIMMERMAN: Does anybody out  
3 there have any thoughts? Let -- we're saying just  
4 this section here, railroad tracks to here  
5 (indicating). Like, would you not go toward the  
6 railroad tracks? Would you not go to here? Any  
7 thoughts?

8 FROM THE FLOOR: What's that road there? Is  
9 that 232?

10 CHAIRPERSON TIMMERMAN: Here? 232.

11 FROM THE FLOOR: Okay. I'd make it all --

12 FROM THE FLOOR: I'd make it 232 all the way  
13 to the railroad track.

14 CHAIRPERSON TIMMERMAN: 232 to the railroad  
15 tracks.

16 MS. PARGEON: Yeah. Yeah. That makes  
17 sense.

18 SECRETARY STACY: Okay.

19 FROM THE FLOOR: The railroad tracks are  
20 prime.

21 MS. PARGEON: It's a prime draw, isn't it?

22 FROM THE FLOOR: Yeah. And you don't want  
23 residential by railroad tracks.

24 MS. PARGEON: No.

1 FROM THE FLOOR: That sucks. I've lived  
2 next to them and they suck.

3 SECRETARY STACY: That would give you a  
4 large area. Is it -- are you talking I-1?

5 CHAIRPERSON TIMMERMAN: I-1.

6 MR. EVANS: Yeah.

7 MS. PARGEON: Yeah.

8 MS. LAND: That would be a kind of area for  
9 a distribution center kind of thing.

10 SECRETARY STACY: Okay.

11 MS. LAND: Lot of access to Interstates and  
12 to the railroad there.

13 MS. PARGEON: So that would be good.

14 MS. LAND: They take up just -- they could  
15 spread out. I mean --

16 MS. PARGEON: Yeah.

17 MR. EVANS: It looks like there's two houses  
18 in that big area.

19 SECRETARY STACY: Well, I don't think you  
20 have to worry about municipally --

21 CHAIRPERSON TIMMERMAN: Annexing any of  
22 that.

23 MR. EVANS: Yeah.

24 CHAIRPERSON TIMMERMAN: It's like it's

1 developed, that stays a part of the township for  
2 pretty much --

3 SECRETARY STACY: Let's go for it.

4 MS. PARGEON: Yeah.

5 SECRETARY STACY: Go for it.

6 MR. EVANS: All right. It's on there.

7 SECRETARY STACY: Did you put it on?

8 MR. EVANS: Yeah.

9 MS. PARGEON: Good job.

10 CHAIRPERSON TIMMERMAN: (Unintelligible)

11 part of this, he's got better handwriting upside down  
12 than I do.

13 MR. EVANS: I can make a 9 and a 1 upside  
14 down.

15 CHAIRPERSON TIMMERMAN: Hey, listen. Don't  
16 discredit yourself. You win. You win.

17 MR. EVANS: I'm just glad it wasn't R  
18 something.

19 MS. LAND: That's one of those, you get to  
20 do all of mine now. You're the best.

21 CHAIRPERSON TIMMERMAN: Is there any other  
22 things?

23 MS. PARGEON: No, you done good.

24 MR. EVANS: Do we have something for

1 everything? Do we have I-1, I-2, R-1, B-1?

2 MS. LAND: B-2 and B-3. I think you've hit  
3 all areas.

4 MS. PARGEON: Good.

5 FROM THE FLOOR: Did you guys expand the  
6 landfill north at all, that purple?

7 CHAIRPERSON TIMMERMAN: We didn't.

8 FROM THE FLOOR: Did not.

9 SECRETARY STACY: Do you know how many  
10 acres? A lot?

11 MS. PARGEON: That's enough. That's enough.  
12 No more.

13 SECRETARY STACY: I like that answer. A  
14 lot.

15 MS. LAND: Most of the section.

16 SECRETARY STACY: Yeah.

17 MS. LAND: It's very large.

18 MS. PARGEON: Well, it used to be Priebe's  
19 Airport.

20 MR. EVANS: Yeah. I think that's what some  
21 of this is.

22 SECRETARY STACY: Yeah, it's still.

23 CHAIRPERSON TIMMERMAN: That's Whirlpool.

24 MS. LAND: The County worked something out



1 with Priebe's.

2 MS. PARGEON: Yeah.

3 SECRETARY STACY: Oh, they did? Figures.

4 MR. EVANS: Haven't see a lot of planes.

5 MS. LAND: Priebe's got to having -- the  
6 seagulls were coming off the landfill --

7 SECRETARY STACY: Oh, yeah.

8 MS. LAND: -- and causing hazards to the  
9 planes, so they had to come to an agreement between  
10 them who would stay and who would go. They did have a  
11 couple of birds get sucked through engines and cause  
12 some problems.

13 MR. EVANS: You know there used to be a  
14 runway. Did the planes land here?

15 SECRETARY STACY: Yeah.

16 MR. EVANS: There actually used to be a prop  
17 shop.

18 MS. PARGEON: It was an airport.

19 MR. EVANS: They would repair airplane  
20 propellers.

21 CHAIRPERSON TIMMERMAN: Really?

22 MS. LAND: Yeah. We had to buy the airport  
23 and the prop shop separately. They were two separate  
24 entities.

1 CHAIRPERSON TIMMERMAN: Okay. Anything  
2 else?

3 Cindy, are we, in your mind, okay?

4 MS. LAND: Yeah.

5 CHAIRPERSON TIMMERMAN: You didn't see us  
6 miss something completely?

7 MS. LAND: No.

8 MS. PARGEON: Good.

9 MS. LAND: Now, how are we going to go about  
10 getting this into a big color map? Are we going --  
11 somebody going to take that map? There's no color --

12 CHAIRPERSON TIMMERMAN: I think we take that  
13 map --

14 MS. LAND: And color on these, and, then,  
15 give it to Matt to have him fix it. Because I'm  
16 afraid, if we try to explain what we mean, we'll get  
17 something back that doesn't look like what we wanted.

18 CHAIRPERSON TIMMERMAN: We got all those  
19 highlighters right there.

20 MS. LAND: Yeah. Start highlighting.

21 CHAIRPERSON TIMMERMAN: Want us to start  
22 highlighting sections? I think that's fair. Good  
23 with that?

24 SECRETARY STACY: Uh-huh.

1 CHAIRPERSON TIMMERMAN: Do that right now?

2 MS. LAND: It's up to you guys.

3 CHAIRPERSON TIMMERMAN: Is that where we're  
4 at?

5 MS. LAND: It is 7:37.

6 CHAIRPERSON TIMMERMAN: Cindy, last meeting,  
7 you said, If we've got to run over, we'll run over.

8 MS. LAND: We did. 37 minutes.

9 SECRETARY STACY: We also have to do  
10 Executive Session; is that correct?

11 MS. LAND: Yes.

12 MR. EVANS: Tonight?

13 SECRETARY STACY: Yes. We need to.

14 MS. LAND: Why don't we do the Executive  
15 Session and somebody can do this for homework.

16 CHAIRPERSON TIMMERMAN: I've got a  
17 4-year-old daughter that would love to color  
18 (unintelligible).

19 MR. EVANS: Just make sure that none of this  
20 comes off, though. I don't know if you want to take a  
21 picture of it.

22 MS. LAND: That might be a good idea.

23 CHAIRPERSON TIMMERMAN: Who is taking it?  
24 Do you want me to take it? I'll take it.

1 I'm going to do this.

2 SECRETARY STACY: So you're going to peel  
3 them off and write underneath that?

4 CHAIRPERSON TIMMERMAN: I think so.

5 SECRETARY STACY: That works. We can do  
6 that. You don't have to worry if they fall off.  
7 Seemed like a good idea at the time. But...

8 MS. LAND: They're good at moving things  
9 around. They're probably really a good option.

10 MS. PARGEON: It worked. That's what was  
11 good. It worked.

12 MS. LAND: About 20 years ago, we spent --  
13 everybody spent their lunch hour for a week in one  
14 girl's office when she went on vacation sticking  
15 Post-It Notes on every surface on everything in her  
16 office. I went out and bought Post-It Notes, like,  
17 six times. And, then, when she came back, our boss  
18 put a note on the door, Hey, Annette, we need more  
19 Post-It Notes. And she's like, What?

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. PARGEON: So make a motion to adjourn?

22 CHAIRPERSON TIMMERMAN: No. No. We're  
23 going to -- do we -- do you want to open for  
24 questions?

1 SECRETARY STACY: Sure.

2 CHAIRPERSON TIMMERMAN: Get that, if anyone  
3 wants to leave.

4 Matt.

5 FROM THE FLOOR: Quick question. What did  
6 you decide over here with where Benna is?

7 CHAIRPERSON TIMMERMAN: Where what is?

8 MS. LAND: They left it Ag.

9 MR. EVANS: Route 29.

10 CHAIRPERSON TIMMERMAN: We're here. He's  
11 pointing that way.

12 FROM THE FLOOR: It's just right across the  
13 street.

14 CHAIRPERSON TIMMERMAN: Oh, Ag.

15 FROM THE FLOOR: So that's still Ag. I  
16 mean, they're using radio-frequency welders with some  
17 high power in that building. Not saying it's  
18 hazardous, but it's a manufacturing company.

19 MS. LAND: The problem is it would be a spot  
20 of zoning, and they really can't do that.

21 FROM THE FLOOR: Okay.

22 MS. LAND: So it would end up just being a  
23 nonconforming use that can continue in the Ag  
24 District.

1 FROM THE FLOOR: Okay. But they can't  
2 expand?

3 MS. LAND: No. Well, there's been some  
4 parameters on how much they can expand, but it's  
5 limited.

6 FROM THE FLOOR: Okay.

7 CHAIRPERSON TIMMERMAN: Anybody else?  
8 (No response.)

9 CHAIRPERSON TIMMERMAN: Okay. I think we're  
10 going to do Executive Session.

11 SECRETARY STACY: Let me get my notes.

12 CHAIRPERSON TIMMERMAN: I don't think we're  
13 planning on doing anything afterwards. Is that a fair  
14 statement?

15 MS. LAND: Just coming out of Executive  
16 Session.

17 CHAIRPERSON TIMMERMAN: Yeah. Are we still  
18 going to meet -- today is Thursday. So we'll meet  
19 Monday --

20 MS. LAND: Yeah.

21 CHAIRPERSON TIMMERMAN: -- to go across  
22 this, and --

23 MS. LAND: I will -- by Monday, I hope I  
24 will have a good final corrected draft for you with

1 line-outs and --

2 CHAIRPERSON TIMMERMAN: How long of a  
3 meeting will that be then? We'll go through it.

4 MS. LAND: Two hours.

5 SECRETARY STACY: Yeah.

6 CHAIRPERSON TIMMERMAN: Okay. Then I --

7 FROM THE FLOOR: I do have a question real  
8 quick.

9 If property is deeded for Residential, but  
10 it is currently Agricultural, are you going to  
11 recognize that or not?

12 MS. LAND: Deeded or zoned?

13 FROM THE FLOOR: It's deeded. It's an  
14 estate. It's deeded.

15 CHAIRPERSON TIMMERMAN: In an Agricultural  
16 District?

17 FROM THE FLOOR: In an Agricultural District  
18 for the purpose of development for Residential.

19 MS. LAND: Is it -- you mean it's already  
20 subdivided?

21 FROM THE FLOOR: Yes.

22 MS. LAND: There is a subdivision there now?

23 FROM THE FLOOR: Yes, it is.

24 MS. LAND: Yeah. Then that's -- whatever

1 exists is grandfathered.

2 FROM THE FLOOR: Can those subdivided lots  
3 be divided again?

4 MS. LAND: Probably not. They would have to  
5 come in and look at -- because if it's in an  
6 Agricultural District, if it's not something that  
7 would be able to be there, it can't be changed. It  
8 can be there and it can continue on as it is; but it  
9 can't be morphed and changed.

10 FROM THE FLOOR: Can't be what?

11 MS. LAND: Changed. Turned into something  
12 different.

13 FROM THE FLOOR: No, it would still be  
14 Residential.

15 MS. LAND: Yeah. But it would still be  
16 getting a different plat. It couldn't be re-platted.

17 CHAIRPERSON TIMMERMAN: Is it for -- is it  
18 for, like, a subdivision, or is it for, like, 2-acre  
19 lots for people to build on?

20 FROM THE FLOOR: It's already divided into  
21 7-acre lots.

22 CHAIRPERSON TIMMERMAN: And you're asking to  
23 divide it down how far? Like, half-acre lots, or  
24 2-acre lots?



1 FROM THE FLOOR: No, it would be 7-acre  
2 lots.

3 CHAIRPERSON TIMMERMAN: Residential use in  
4 Agricultural, as long as you have 2 acres, you can  
5 build. So you could divide them down to 2-acre lots.

6 MS. LAND: No, he can't. Not that many  
7 because there's other things that would stop that.

8 MR. EVANS: Subdivision Regulations.

9 MS. LAND: That's Subdivision Regs and the  
10 EPA and health department.

11 SECRETARY STACY: County engineers.

12 CHAIRPERSON TIMMERMAN: But would they  
13 restrict that right now anyways?

14 MS. LAND: Yeah. That would all be --

15 CHAIRPERSON TIMMERMAN: Zoning doesn't  
16 affect that then.

17 FROM THE FLOOR: Okay. How about  
18 established businesses that have maintained a vendor's  
19 license? Do we have to declare that at some point in  
20 time that it is a business and it has been established  
21 for 30 or 40 years?

22 MS. LAND: The zoning inspector will take a  
23 snapshot basically of everything that exists when  
24 zoning goes into effect. And, then, those things, if

1 they are in the district they belong in, that they are  
2 permitted in, then, they just can do -- grow and do  
3 whatever.

4 But if they're in a nonconforming district,  
5 then they are subject to those nonconforming rules for  
6 how much they can change or expand or be replaced if  
7 they're damaged.

8 FROM THE FLOOR: If that business is  
9 grandfathered in, such as you say, can it be sold  
10 under that grandfather?

11 MS. LAND: Yes.

12 CHAIRPERSON TIMMERMAN: As long as it --

13 MS. LAND: As long as it continues in use  
14 without a two-year break. If there's a two-year break  
15 in it not being that business or a business, then it  
16 will lose its grandfather status.

17 FROM THE FLOOR: Does it have to maintain  
18 the same business stature?

19 MS. LAND: No. But it would have to get a  
20 Certificate of Occupancy and a Certificate of Use so  
21 that it's clear that it is something that's still in  
22 that same general vein.

23 FROM THE FLOOR: Okay.

24 MS. LAND: That was stuff we discussed the

1 last time for when there's a change of any use has to  
2 have that occupancy.

3 CHAIRPERSON TIMMERMAN: But a business is a  
4 conditional use inside of Agricultural, right?

5 MS. LAND: Some of them are.

6 CHAIRPERSON TIMMERMAN: I didn't know  
7 whether that would --

8 MS. LAND: Not all businesses are. Home  
9 businesses are.

10 CHAIRPERSON TIMMERMAN: Home businesses.

11 MS. LAND: Yeah. But not business  
12 businesses. Freestanding businesses aren't --

13 CHAIRPERSON TIMMERMAN: Home business.

14 MS. LAND: Unless they are a specific --

15 FROM THE FLOOR: Define a home business.

16 MS. LAND: That's defined in the code.

17 FROM THE FLOOR: What is it?

18 MS. LAND: There's a difference between a  
19 home business and a home occupation. Let's see.

20 A home business is any occupational activity  
21 carried on exclusive by a member of the immediate  
22 family residing on the premises and conducted entirely  
23 on the premise. No commodity shall be sold on the  
24 premises nor mechanical equipment used, the external

1 effects of which may adversely affect adjacent  
2 property. Home businesses shall be clearly incidental  
3 and secondary to the use of premises as a dwelling  
4 purposes and should not change the structural  
5 character thereof.

6 FROM THE FLOOR: This is in an outbuilding.  
7 It does not have anything to do with the residence.

8 MS. LAND: It's still -- it's premises; not  
9 residence.

10 FROM THE FLOOR: Okay.

11 MS. LAND: It has to be run by and the work  
12 to be done by somebody who lives there. And it has to  
13 just be secondary to the fact that it's your home.

14 FROM THE FLOOR: And how about a business  
15 that is on a specific lot that's already established  
16 that does not have a residence?

17 MS. LAND: Those are the nonconforming  
18 things we were talking about.

19 FROM THE FLOOR: So that is going to be  
20 recognized and grandfathered?

21 MS. LAND: Yes. As long as it continues in  
22 business for -- continuously. If it has a break of  
23 two years and not being used, then, it loses its  
24 grandfather status.

1 FROM THE FLOOR: Very good. Thank you.

2 CHAIRPERSON TIMMERMAN: Okay.

3 SECRETARY STACY: Can I have a motion to  
4 enter into Executive Session for the purposes of  
5 litigation against the zoning commission?

6 CHAIRPERSON TIMMERMAN: I move to enter  
7 Executive Session.

8 SECRETARY STACY: Okay. And can I have a  
9 second?

10 MS. PARGEON: I'll second it.

11 SECRETARY STACY: Roll call vote to enter  
12 into Executive Session.

13 MS. LAND: At 7:46 p.m.

14 SECRETARY STACY: 7:47. Okay.

15 Dave Evans.

16 MR. EVANS: Yes.

17 SECRETARY STACY: Clara.

18 MS. PARGEON: Yes.

19 SECRETARY STACY: Deb Stacy says yes.

20 John.

21 CHAIRPERSON TIMMERMAN: Yes.

22 SECRETARY STACY: Motion passed.

23 - - -

24

1           And, thereupon, the zoning commission  
2 entered into Executive Session.

3                                 - - -

4           SECRETARY STACY: Can I have a motion that  
5 we leave Executive Session and return to regular  
6 session with no action taken at 8:20 p.m.?

7           MS. PARGEON: I make a motion.

8           SECRETARY STACY: Clara.

9           I have a second?

10          MR. EVANS: I'll second.

11          SECRETARY STACY: Dave. Everyone in  
12 agreement say "Yes."

13          (Vote taken.)

14          SECRETARY STACY: Motion passed.

15          And, now, we can go ahead and adjourn.

16          CHAIRPERSON TIMMERMAN: Yeah.

17          SECRETARY STACY: Nothing else, right?

18          Okay. Can I have a motion to adjourn the  
19 meeting?

20          MS. PARGEON: I make a motion that we  
21 adjourn the meeting.

22          SECRETARY STACY: Thank you.

23          I need a second.

24          CHAIRPERSON TIMMERMAN: I'll take it this

1 time.

2 SECRETARY STACY: Everyone in agreement, say  
3 "Yes."

4 (Vote taken.)

5 SECRETARY STACY: Motion passed. We are  
6 adjourned.

7 - - -

8 And, thereupon, the proceedings were  
9 concluded at 8:19 p.m.

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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 Monday, May 20, 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

16 - - -

17  
18  
19  
20  
21  
22 ANDERSON REPORTING SERVICES, INC.

23 3040 Riverside Drive, Suite 125

24 Columbus, Ohio 43221

(614) 326-0177

1 APPEARANCES:

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9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson  
13 Deb Stacy, Secretary  
14 Dave Evans  
15 Clara Pargeon  
16 Matthew Cordonnier, Planning Director, Hancock  
17 Regional Planning Commission

18 - - -

1 MONDAY EVENING SESSION  
2 May 20, 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 20th day of  
8 May, 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: It's 5:02. I'll  
14 call this meeting to order. I'm not even ready. I  
15 don't have my pen out yet.

16 All right. Attendance.

17 Clara Pargeon.

18 (No response.)

19 CHAIRPERSON TIMMERMAN: Darrin Rehus.

20 (No response.)

21 CHAIRPERSON TIMMERMAN: Deb Stacy.

22 SECRETARY STACY: Here.

23 CHAIRPERSON TIMMERMAN: John Timmerman,  
24 here.

MS. LAND: You do have a quorum.

1 SECRETARY STACY: Yeah, we do.

2 CHAIRPERSON TIMMERMAN: We do. Okay.

3 SECRETARY STACY: I'll go ahead and read the  
4 minutes.

5 The Allen Township Zoning Commission,  
6 May 16th, 2024.

7 Attendance: Dave Evans, Clara Pargeon, Deb  
8 Stacy, John Timmerman. Darrin Rehus was absent.

9 Deb Stacy, Allen Township Zoning Commission  
10 Secretary, read the May 13th, 2024, minutes.

11 Motion 24-04-27M. Clara Pargeon moved to  
12 approve the Allen Township Zoning Commission minutes  
13 from the May 13th, 2024, meeting. Dave Evans moved to  
14 second the motion.

15 CHAIRPERSON TIMMERMAN: Is that yours?

16 SECRETARY STACY: No. I did get you one.

17 MR. EVANS: That's all right.

18 SECRETARY STACY: Dave Evans moved to second  
19 the motion. Motion passed.

20 The Allen Township Zoning Commission  
21 reviewed sections from Article 15, General Provisions,  
22 from the Allen Township Zoning Commission and Hancock  
23 County, Ohio, Proposed Zoning Resolution. Topics  
24 included Board of Zoning Appeals, Changes and

1 Amendments, Interpretations and Enforcement. Work was  
2 done on the map to determine the location of the  
3 proposed districts.

4 Motion 24-04-28M. John Timmerman moved to  
5 enter into Executive Session for the purpose of  
6 litigation against the zoning commission at 7:47 p.m.  
7 Clara Pargeon seconded the motion. On roll call vote  
8 to enter into Executive Session, the members voted:  
9 Dave Evans, yes. Clara Pargeon, yes. Deb Stacy, yes.  
10 John Timmerman, yes.

11 Motion passed and the members entered into  
12 Executive Session.

13 Motion 24-04-29M. Clara Pargeon moved to  
14 leave Executive Session and return to regular session  
15 with no action taken at 8:20 p.m. Dave Evans seconded  
16 the motion. Motion passed.

17 Motion 24-04-30M. Clara Pargeon moved to  
18 adjourn the meeting. John Timmerman seconded the  
19 motion. Motion passed.

20 I'll go ahead and --

21 CHAIRPERSON TIMMERMAN: Yeah. I move to  
22 accept the meeting minutes as read.

23 MR. EVANS: I'll second that.

24 SECRETARY STACY: So John. And Dave

1 seconded.

2 Everyone in agreement say "Yes."

3 (Vote taken.)

4 SECRETARY STACY: Motion passed.

5 (Mr. Cordonnier joined the proceedings.)

6 CHAIRPERSON TIMMERMAN: Just in time, Matt.

7 You missed what we did last meeting.

8 MR. CORDONNIER: Work on the map?

9 CHAIRPERSON TIMMERMAN: Well, I'm saying she  
10 just read the minutes.

11 MR. CORDONNIER: Oh.

12 MS. LAND: I talked to Jacob earlier today,  
13 but I forgot to ask him if we can get a couple more of  
14 those maps that are blank like that before they  
15 scribble on them.

16 MR. CORDONNIER: Uh-huh.

17 MS. LAND: Okay.

18 MR. CORDONNIER: I'll add that to my To-Do  
19 List.

20 MS. LAND: That's what I didn't put on my  
21 To-Do List, and then I didn't remember it when I hung  
22 up with Jacob.

23 CHAIRPERSON TIMMERMAN: It happens.

24 MS. LAND: Crazy day.



1 CHAIRPERSON TIMMERMAN: Do you want to go  
2 over the map at all, or do you want to go straight  
3 into -- or do you have anything else?

4 MS. LAND: Remember when we were talking  
5 about ponds? I have been doing some more research  
6 because of another township's problem I'm working on;  
7 and I've run across a couple of things that they've  
8 added into their pond stuff that was kind of  
9 interesting.

10 One of them was that any of the soil removed  
11 had to stay on the parcel, either on the parcel -- or  
12 a percentage of it had to stay. That's something you  
13 might want to look at; it will alleviate the  
14 possibility of a borrow pit that somebody's doing for  
15 a commercial use because, if they can't take it off  
16 the property, what's the point of having it, right?  
17 And, then, it really would be a pond.

18 CHAIRPERSON TIMMERMAN: What if you don't  
19 have anywhere for the dirt to go?

20 MS. LAND: Then you'd probably have to ask  
21 for a variance of some sort. But most ponds aren't  
22 going to be that deep.

23 CHAIRPERSON TIMMERMAN: Well, I get it. I'm  
24 just saying if your landscaping is all -- you know, if

1 your -- whatever.

2 MS. LAND: Yeah. You'd probably have to  
3 ask --

4 CHAIRPERSON TIMMERMAN: If the train is  
5 already set up.

6 MS. LAND: -- for a special thing then. But  
7 having it in there is kind of a good safeguard.

8 CHAIRPERSON TIMMERMAN: I don't disagree. I  
9 like it.

10 MS. LAND: Most of the other ones I'm  
11 looking at didn't have a pond size larger than 1 acre,  
12 and we've got 3 and Liberty put in 3 -- or Washington  
13 put in 3.

14 I don't know if you want to look at that.  
15 I don't know why they only had 1 acre. Most of these  
16 that I found were up around in Fulton County and Lucas  
17 County and Wood County, up around where it starts to  
18 be a little bit more urban in places, you know, where  
19 the townships are as much city as they are rural.

20 CHAIRPERSON TIMMERMAN: Uh-huh.

21 MS. LAND: But the only thing that really  
22 jumped out at me was where the soil goes. It would  
23 have solved our problems in Washington Township, just  
24 boom, if we had had that.

1 SECRETARY STACY: Right. Because I was --  
2 I've looked at a couple other Zoning Resolutions.  
3 Marion Township, they come right out and say there's a  
4 list of items that are expressly prohibited, and  
5 quarries and borrow pits are right on there.

6 And I know you had mentioned, like, if  
7 someone was going to build a building or a home, or  
8 something, perhaps they needed to bring the elevation  
9 up for that; but that seems a completely separate  
10 issue from what a borrow pit --

11 MS. LAND: A commercial borrow pit.

12 SECRETARY STACY: Right. Right.

13 MS. LAND: I think technically they are  
14 borrow pits if they're digging them out while they're  
15 raising their home site area. Most of those do  
16 eventually get turned into ponds or else, you know,  
17 sloping landscapes.

18 SECRETARY STACY: But the soil, I think,  
19 typically stays on site.

20 MS. LAND: That's that distinction.

21 SECRETARY STACY: Yeah, the distinction.  
22 The whole purpose of having a borrow pit for  
23 commercial use is because you want that clay.

24 MS. LAND: To mine the soil and have it

1 removed.

2 SECRETARY STACY: You want to mine the soil  
3 and remove it to another location.

4 MS. LAND: They are very careful not to say  
5 that they're mining, because if you're mining, then  
6 you fall under some ODNR rules that are really  
7 stringent. And, I guess, apparently, they're somewhat  
8 prohibitive, which probably they should be; it's a  
9 mining operation. That's why they call it a pond.  
10 It's not a pond; it's a borrow pit. I think I'll be  
11 saying that in my sleep.

12 SECRETARY STACY: So is any of that in this  
13 part or not?

14 MS. LAND: I didn't add any of that in  
15 there.

16 SECRETARY STACY: That's fine. I'm  
17 guessing -- I think we talked about a definition for  
18 borrow pit.

19 MS. LAND: Uh-huh.

20 SECRETARY STACY: Even if it's not in here.

21 MS. LAND: It is in there.

22 SECRETARY STACY: Oh, it is. Okay.

23 Because, if my memory serves me correctly,  
24 I think, at that point, last Thursday, there was an

1 agreement about 10 acres for a borrow pit. That kind  
2 of weighed on me all weekend and I wasn't -- I wanted  
3 to revisit that.

4 CHAIRPERSON TIMMERMAN: And we heard concern  
5 from people in attendance as well. You know, it  
6 initially started at 25 acres just as an arbitrary  
7 number.

8 MS. LAND: Which is big.

9 CHAIRPERSON TIMMERMAN: And a resident  
10 pointed out how that is very large.

11 MS. LAND: Super big.

12 CHAIRPERSON TIMMERMAN: And I think he was  
13 still, you know, on the concerned side even at 10.

14 SECRETARY STACY: Yeah. Well, I was in that  
15 camp, too. I wasn't aware of the other person, but --  
16 yeah.

17 MR. EVANS: It seems to me, if you go that  
18 big, it needs to be a case-by-case basis to where you  
19 can look at it. I mean, is that possible to do that  
20 to where you say that it can't be over 5 acres or  
21 something like that? If somebody comes to you, is  
22 that a --

23 CHAIRPERSON TIMMERMAN: If you're that big,  
24 it's a commercial operation at that point, as far as

1 I'm concerned. If you're talking a pond size, that's  
2 a residential, you know. So...

3 SECRETARY STACY: Yeah. Some of the things  
4 that concerned me with a borrow pit, first of all,  
5 what kind of setbacks? Is it going to be up close to  
6 the road? Could it possibly be a hazard driving on  
7 the road? Could it end up and be, like, a nuisance or  
8 even an eyesore? Different things like that that --  
9 those were things that concerned me.

10 MS. LAND: I think if you're going to allow  
11 them, they'd have to be Conditional Uses in probably  
12 I-2, so that you would have the ability to say how far  
13 back they have to be set, what kind of screening or  
14 safety measures they have to take. You know,  
15 guardrails or whatever.

16 The State of Ohio, ODOT, has some standards  
17 for how far one of their ponds has to be off the  
18 right-of-way. It's really not as far as you think it  
19 would be because a car going very fast would still get  
20 into it.

21 We could maybe piggyback off that to try to  
22 stay consistent. If you want to -- but if you put --  
23 I would -- this is where you could take it as a  
24 case-by-case basis. I don't know about size, but for

1 the stuff that you'd have to put in it, like, how far  
2 you want it set back, what kind of guardrail, if they  
3 need to have more of a barrier than just a guardrail.  
4 Stuff like that, that would be the conditions.

5 The size, though, I think is something that  
6 you can't really play with each time. You're going to  
7 have to make a determination of a range.

8 MR. EVANS: Is 10 too big?

9 CHAIRPERSON TIMMERMAN: Well, I mean, who  
10 did you say this was?

11 SECRETARY STACY: Marion.

12 CHAIRPERSON TIMMERMAN: Marion Township  
13 says --

14 MS. LAND: Not at all.

15 CHAIRPERSON TIMMERMAN: -- not at all.

16 SECRETARY STACY: They're, like, nada. So  
17 you can still do a pond and gather what you needed.

18 CHAIRPERSON TIMMERMAN: Is that a borrow pit  
19 at that point? Like, is it --

20 MS. LAND: Not if you're building a pond and  
21 you're taking the soil out. But what -- when they're  
22 building a borrow pit, it's a different kind of  
23 function going on than it is when you're building a  
24 pond, because ponds are -- you know, I think they

1 start out with they're sloping and they're angles.  
2 And these just sort of go right down and dig out  
3 everything they can.

4 You could get the same effect if you want to  
5 raise your house site by building a pond, I would  
6 think, because you still have to pull that stuff out  
7 of there during that process.

8 Some people don't want a pond. But what are  
9 they going to do with a borrow pit either. If you  
10 need to raise your house site, they're going to have a  
11 hole, whether they make it a pond or something else.

12 I can't imagine anybody would want to leave  
13 a borrow pit. It seems like a bit of a hassle.

14 SECRETARY STACY: Yes.

15 MS. LAND: Unless you want a fishing hole or  
16 something. But it takes a really long time to have a  
17 borrow pit fill with water. It's not the same as a  
18 pond.

19 SECRETARY STACY: Right.

20 MS. LAND: And they leak, apparently.

21 SECRETARY STACY: Typically ponds have a  
22 design. Didn't we address that? Like, the county  
23 engineer or Soil and Water --

24 MS. LAND: Or a licensed engineer.



1           SECRETARY STACY: Right. So they -- I mean,  
2 it's not a haphazard hole-digging thing. I mean,  
3 there's a plan and a purpose for what they're doing.

4           MS. LAND: Yeah. There are a number of  
5 ponds around the county that are the whole buddy with  
6 a six-pack and a backhoe built, and a lot of them  
7 don't hold any water, or they're too close to  
8 something else and they drain into something they  
9 shouldn't drain into.

10           So it's important to have legitimate plans  
11 and somebody who is educated in how to do it and also  
12 be responsible if the plan doesn't work. The guy with  
13 the backhoe and the six-pack isn't going to be  
14 responsible for anything.

15           CHAIRPERSON TIMMERMAN: Right.

16           MS. LAND: So the homeowner ends up on the  
17 hook if they are damaging their neighbors or having  
18 their own foundation wash out, which has happened a  
19 couple of times because the pond just leaks into your  
20 foundation and suddenly it fills your basement.

21 Oh, wow.

22           CHAIRPERSON TIMMERMAN: Yeah.

23           MS. LAND: Could have gone (unintelligible)  
24 and a six-pack guy, do it better.

1 SECRETARY STACY: Yeah.

2 MS. LAND: It's more complicated than it  
3 looks. I think that's what I'm getting to.

4 CHAIRPERSON TIMMERMAN: Sure. So where do  
5 we want to go with borrow pit is the question then?

6 MS. LAND: Right now, I think you have  
7 them --

8 CHAIRPERSON TIMMERMAN: At 10 acres.

9 SECRETARY STACY: Uh-huh.

10 MS. LAND: You have under -- this is what  
11 I've got written in here, All zoning districts, except  
12 I-2 Industrial Districts, they can be up -- borrow  
13 pits under 3 acres in surface area.

14 And, then, Industrial, under Special  
15 Conditions, or Conditional Uses, Borrow pits under  
16 3 acres in surface area and borrow pits 3 acres or  
17 greater in surface area.

18 And that's all I've got on it. I don't have  
19 anything more. I don't have the 10, so I don't  
20 know if I haven't finished that.

21 MR. CORDONNIER: I think the discussion was  
22 on the 3 acres or more, putting a cap on the size.

23 MS. LAND: Of 10?

24 MR. CORDONNIER: Whatever size.

1 MS. LAND: And this is kind of messed up  
2 because it's stuck right in the middle of my Wind  
3 thing, too, so I have no idea how that happened.

4 CHAIRPERSON TIMMERMAN: Where are you at,  
5 Deb? Are you leaning towards no borrow pits? Is that  
6 what you're --

7 SECRETARY STACY: Uh-huh. Or if you do,  
8 I would really limit the size, and I would really look  
9 hard on the things, you know, setbacks, screening,  
10 et cetera, et cetera.

11 CHAIRPERSON TIMMERMAN: So a Conditional Use  
12 at that point where it's got to be approved?

13 SECRETARY STACY: (Nods.)

14 MR. EVANS: That makes sense. Because we  
15 want to know why they're digging a borrow pit.

16 CHAIRPERSON TIMMERMAN: For sure.

17 MR. EVANS: That's kind of, like, our --  
18 What do you need this for? What are you -- do you  
19 need it for the land, and --

20 MS. LAND: The other question is do we want  
21 to make borrow pits something that's a temporary  
22 thing? They could have a borrow pit, but only for a  
23 certain period of time, and, then, it has to be  
24 converted to a real pond or filled in. I don't know.

1 MR. EVANS: But, then, do they have to have  
2 a bond or something like that, in case they don't  
3 follow through?

4 MS. LAND: Good point. We're talking  
5 something that could take them a number of years to  
6 make. Industrial -- for Industrial use, borrow pits  
7 can take six to eight years to be mined out. That's a  
8 long time. It's also quite a -- it's like having a  
9 quarry next door to you. It's probably not something  
10 the neighbors would enjoy that much. If it's in an  
11 Industrial District, perhaps it wouldn't matter.  
12 I don't -- I don't know.

13 SECRETARY STACY: Then you have the  
14 trucking. Think of the traffic, too, and the wear and  
15 tear on the roads going up with all the trucks,  
16 especially if it has any size to it.

17 CHAIRPERSON TIMMERMAN: With the housing,  
18 the way we have it throughout the entire township, we  
19 don't really have just an Industrial District. We do  
20 have Industrial Districts, but there's Residential  
21 right next to it.

22 MS. LAND: You have industrial areas.

23 SECRETARY STACY: Yeah. There's residential  
24 all over.

1 CHAIRPERSON TIMMERMAN: Yeah.

2 MR. CORDONNIER: I mean, the thing to  
3 remember is if the township doesn't want someone to  
4 have I-2, you don't have to give it to them. So  
5 that's the first thing.

6 CHAIRPERSON TIMMERMAN: What do you mean by  
7 that?

8 MR. CORDONNIER: I mean, if -- like, if you  
9 had whatever -- a borrow pit larger than 3 acres, they  
10 need I-2 zoning.

11 CHAIRPERSON TIMMERMAN: Right. Sure.  
12 You're saying --

13 MR. CORDONNIER: The easiest way to say no,  
14 it's not after they have the zoning; it's before they  
15 get the zoning.

16 CHAIRPERSON TIMMERMAN: Right.

17 MR. CORDONNIER: They don't have a right to  
18 that zoning.

19 MS. LAND: That's exactly right. Yeah.

20 And even if you were to give them the  
21 zoning, there is that extra possibility that the  
22 petition could be passed and it could be put on the  
23 ballot to have your change of zoning changed back.

24 You may say, Okay. You can have your I-2

1 zoning. But if I'm a resident, and I don't like that,  
2 I can pass a petition, get 15 percent of those who  
3 voted in the last -- for governor the last time, to --  
4 which would probably be, in Allen Township, I would  
5 say about 150 people. Sign this, then you can get it  
6 put on the ballot whether this gets changed or it goes  
7 back the way it was. And, then, it can always get  
8 voted back.

9 MR. CORDONNIER: I forget the name of the  
10 case, but it involved a quarry as a Conditional Use in  
11 Southeast Ohio. The township set -- made the setbacks  
12 be 700 feet. The quarry sued them saying that's  
13 excessive because, you know, you're taking up so much  
14 of -- the Court sided with the township on the  
15 Conditional Use that they set the conditions. So,  
16 I mean, you do have leeway.

17 MS. LAND: Especially since, in something  
18 like that, you can cite safety, health, concern for  
19 the roadways, people around there. There's legitimate  
20 reasons for doing it. Not something arbitrary.  
21 Arbitrary and capricious, you don't want to be that.  
22 Not ever.

23 MR. CORDONNIER: With that said, I think in  
24 the I-2 District, just put, you know --

1 MS. LAND: Currently, the only I-2 District  
2 that they're contemplating is --

3 MR. CORDONNIER: The landfill.

4 MS. LAND: -- the landfill and the square  
5 right around it.

6 MR. CORDONNIER: Yeah.

7 MS. LAND: Which is an I-2 use.

8 MR. CORDONNIER: So greater than 3, with a  
9 maximum of 8 acres.

10 CHAIRPERSON TIMMERMAN: Or do you want to go  
11 even smaller? It's still Conditional.

12 MR. EVANS: I'd be happy if we went between  
13 3 and 5. And if they wanted bigger, okay, then, they  
14 have to come before you.

15 SECRETARY STACY: I mean, 3 acres, in my  
16 opinion -- I mean, again, I'm comparing my home and  
17 how much yard I have. I have 3 acres. That is a fair  
18 bit.

19 CHAIRPERSON TIMMERMAN: Yeah.

20 SECRETARY STACY: In my opinion. I think  
21 that's a fair bit. I think 8 is a lot.

22 FROM THE FLOOR: Would it have to do with  
23 the layout of the land, too? Like, if your land is  
24 kind of hilly and you want to put a pond in there, you

1 want to set it in just right, you know. That would  
2 have a bearing on the size of the pond, wouldn't it?  
3 Or it could.

4 SECRETARY STACY: We're talking borrow pit,  
5 I think, instead of pond.

6 FROM THE FLOOR: Okay.

7 SECRETARY STACY: Yeah.

8 CHAIRPERSON TIMMERMAN: And that would still  
9 fall under -- you'd look at it as a condition, you  
10 know, what are they proposing?

11 FROM THE FLOOR: Okay.

12 MR. CORDONNIER: I like Cindy's suggestion  
13 of the percentage.

14 MR. EVANS: I agree.

15 MR. CORDONNIER: That's because -- I don't  
16 like Marion's because they just say no borrow pits.  
17 No one enforces that because borrow pits are built all  
18 the time.

19 SECRETARY STACY: Okay.

20 MR. CORDONNIER: I mean, in my opinion, you  
21 dig a 2-acre pond or an acre pond and you use most of  
22 that, and, then, you give half of it to your neighbor.  
23 That is a borrow pit, if someone was going to press  
24 the issue.



1 SECRETARY STACY: Okay.

2 MR. CORDONNIER: But if you set a  
3 percentage, then I think that takes away --

4 SECRETARY STACY: (Unintelligible) size and  
5 setbacks, things like that, you think?

6 MR. EVANS: Yeah. But, then, size -- or the  
7 amount of ground that has to stay there. Is that what  
8 you were saying?

9 CHAIRPERSON TIMMERMAN: What's the point of  
10 a borrow pit if the dirt has to stay there?

11 MS. LAND: Well, to raise the level on that  
12 particular property. Like, if you want to build your  
13 buildings up higher than what -- like, where it's kind  
14 of in a gully, you want to build them up. A lot of  
15 people want to build the pad up for the house higher  
16 than the surrounding area, especially in this township  
17 or this county. We flood.

18 CHAIRPERSON TIMMERMAN: I was just thinking  
19 of it --

20 MS. LAND: You guys don't flood out here as  
21 much, do you?

22 MR. CORDONNIER: I mean, the purpose of that  
23 is to prevent someone who wants to do a 50-acre borrow  
24 pit. It's, like, well, yeah, you can dig it all you

1 want, but it has to stay on this property.

2 CHAIRPERSON TIMMERMAN: Okay.

3 MR. CORDONNIER: And they're, like, well,  
4 that's not -- you know.

5 CHAIRPERSON TIMMERMAN: Right. Yeah, I was  
6 looking at it from the business side, like you're  
7 saying there.

8 MS. LAND: For the -- there could be a  
9 number of borrow pits around if they're building --  
10 like, when they built the distribution centers. You  
11 know, they need to build up the property, make it all  
12 good and level and everything. That's where all those  
13 retention ponds end up starting out as borrow pits.

14 SECRETARY STACY: Right.

15 MS. LAND: Because they don't need to hold  
16 water like a pond. They need to have space for water  
17 to go into and disperse out. It's all part of the  
18 drainage, but they're still technically borrow pits.

19 CHAIRPERSON TIMMERMAN: Right.

20 MS. LAND: But it's all -- they would all be  
21 using that on the parcel or on the site.

22 CHAIRPERSON TIMMERMAN: So what size do we  
23 want to limit it to and do we want to throw --

24 MR. EVANS: Want to go to 5?

1 SECRETARY STACY: 3 or 5.

2 CHAIRPERSON TIMMERMAN: 3 or 5. Why don't  
3 we have a 3 to 5? You said 3 to 8. Why would you  
4 have a minimum size?

5 MS. LAND: Because the 3s are permitted in  
6 anything not Industrial I-2.

7 CHAIRPERSON TIMMERMAN: Okay.

8 MS. LAND: We're allowing 3-acre ones in  
9 those areas. That seems kind of big for in the --

10 CHAIRPERSON TIMMERMAN: What if we went down  
11 to 1 for anything outside of I-2?

12 MR. EVANS: I-2.

13 CHAIRPERSON TIMMERMAN: And then up to --

14 MR. EVANS: 3. Up to 3 or --

15 SECRETARY STACY: Yeah. You could go 3,  
16 what, in the Industrial?

17 CHAIRPERSON TIMMERMAN: In the I-2.

18 MR. CORDONNIER: Does that conflict with the  
19 pond size?

20 MS. LAND: Ponds are 3. But ponds are meant  
21 to hold water. Borrow pits are not.

22 MR. CORDONNIER: I mean, every borrow pit  
23 that ODOT builds has water in it.

24 MS. LAND: Yeah. But they turn them into

1 retention ponds.

2 MR. CORDONNIER: I'm just -- I'm just  
3 devil's advocate.

4 MS. LAND: I know. I've read up on that a  
5 lot. They have to do a good bit of work on them to  
6 change them from the borrow pits they took the dirt  
7 out of to turn them into the ponds that are for  
8 retention and drainage.

9 MR. CORDONNIER: Sure.

10 MS. LAND: So do you want 3-acre ponds, or  
11 do you want something smaller than 3 acres?

12 CHAIRPERSON TIMMERMAN: I'm not a pond guy.  
13 You could put "No ponds allowed" and I'd approve that.

14 MR. EVANS: If you have a subdivision, a  
15 3-acre pond isn't out of the ordinary.

16 CHAIRPERSON TIMMERMAN: Sure.

17 MR. EVANS: But for one person to have a  
18 3-acre pond.

19 MR. CORDONNIER: Lakeview's detention pond  
20 is 6 acres. That a subdivision on the east side that  
21 you can see from 236.

22 MS. LAND: Yeah. But that was built to be  
23 lakefront property. That's why --

24 MR. CORDONNIER: I'm just giving

1 information.

2 MS. LAND: It's a good idea, though, to know  
3 what size that is. It's not as huge looking as you  
4 would think, but enough to be able to run kids off  
5 when they want to fish there.

6 SECRETARY STACY: It seems kind of  
7 conflicting. I understand people having the need to  
8 elevate their site. Then I'm also thinking if these  
9 -- if there are houses that are close -- neighbors  
10 close by, that could be an issue as well.

11 CHAIRPERSON TIMMERMAN: If what? If you  
12 elevate your site?

13 SECRETARY STACY: Well, someone's -- well,  
14 no. Someone's digging a big hole and if you transport  
15 it off site. I don't know. I guess it depends on  
16 what you're using it for and how you'd do it. I don't  
17 know.

18 CHAIRPERSON TIMMERMAN: I guess, to your  
19 point on the 6-acre pond, there's a difference between  
20 a pond on a residential or, you know, a --

21 MR. EVANS: Subdivision.

22 CHAIRPERSON TIMMERMAN: In a subdivision,  
23 but I'm not sure that the zoning -- can you call that  
24 out differently?

1 MS. LAND: You could, if you want to go into  
2 a lot of detail -- that kind of detail identifying  
3 different things. Are those ponds that are, like, in  
4 Lakeview and, like, Forest Lake, those ponds, are  
5 those --

6 MR. CORDONNIER: They're all detention.

7 MS. LAND: They're just detention ponds?

8 MR. CORDONNIER: Yeah. And the ponds you  
9 see, even on the north side with Industrial, that's  
10 all detention.

11 MS. LAND: Were they borrow pits initially?  
12 Did they pull the dirt out of there to use on the  
13 site? They probably did for roadbed and stuff.

14 MR. CORDONNIER: Sometimes they do.

15 Now, like, Humble Robinson on Crystal, they  
16 put up the berm along Crystal Avenue. That was, one,  
17 we required them to. But, two, they -- they do both.  
18 They have to build the detention and they need to  
19 level their site. It's kind of a chicken or the egg.  
20 Whether they had to level their site or not, they  
21 still had to build the same size detention pond.

22 MS. LAND: And do they get permits for a  
23 pond when they do that? I mean, like, for  
24 Marion Township, for example, do they get permits for

1 ponds in Forest Lake, or is it just part of the  
2 drainage system of the subdivision?

3 MR. CORDONNIER: That's reviewed with the --  
4 through the platting process. So Doug Cade reviews  
5 the detention ponds and subdivisions --

6 MS. LAND: And the site plan --

7 MR. CORDONNIER: -- outside the city.

8 MS. LAND: -- plats, they get approved by  
9 the township. They aren't really approving a pond  
10 application; they're approving a site plan for a  
11 subdivision then.

12 MR. CORDONNIER: Well, the townships don't  
13 get a say in the platting process.

14 MS. LAND: No. But they do get a say in the  
15 permitting process --

16 MR. CORDONNIER: Yes.

17 MS. LAND: -- for building in there. And,  
18 then, you have to see that site plan when they're  
19 asking for their permits.

20 MR. CORDONNIER: Yeah. So, now, the last --  
21 since Doug's been here, the detention ponds are all  
22 turned over to the County for maintenance.

23 MS. LAND: Right.

24 MR. CORDONNIER: So I don't know if that

1 makes a difference.

2 MS. LAND: They just do it as a -- like an  
3 assessment proceeding, and the whole assessment is  
4 against the developer for the pond and all the  
5 drainage, and, then, it's under maintenance. And,  
6 then, they don't grow weeds and the pumps get  
7 repaired.

8 MR. CORDONNIER: Pipes collapse and all  
9 sorts of things.

10 SECRETARY STACY: Share your thoughts, would  
11 you?

12 MR. EVANS: I mean, I'm okay with an acre,  
13 residential. 3, I-2. 3 acres, I-2.

14 CHAIRPERSON TIMMERMAN: On a borrow pit?

15 MR. EVANS: Yeah. I'm not firm on that, if  
16 you guys have other ideas.

17 CHAIRPERSON TIMMERMAN: I'm okay with that  
18 as well.

19 SECRETARY STACY: I wouldn't think you would  
20 want it in the front of the property close to the road  
21 or anything like that.

22 CHAIRPERSON TIMMERMAN: Well, that would go  
23 back to the Conditional Use.

24 SECRETARY STACY: Yeah.



1 MR. EVANS: Or the setbacks.

2 CHAIRPERSON TIMMERMAN: So that would be  
3 controlled later basically.

4 MR. EVANS: Are all of them a Conditional  
5 Use then?

6 CHAIRPERSON TIMMERMAN: In I-2, right?

7 MS. LAND: I think they are in the  
8 Residential, too.

9 MR. CORDONNIER: They are.

10 CHAIRPERSON TIMMERMAN: Anywhere?

11 MS. LAND: Yeah. Yeah.

12 CHAIRPERSON TIMMERMAN: So it'd be case by  
13 case in that scenario.

14 MR. EVANS: Yeah. So at least they know  
15 going into it, 1 acre or 3 acres, depending on how  
16 many, if that's what you want to do.

17 CHAIRPERSON TIMMERMAN: Right.

18 SECRETARY STACY: (Unintelligible).

19 MR. CORDONNIER: I mean, every code is  
20 living and breathing, and if you have five variances  
21 for it over two years, you're, like, well, maybe we  
22 need to change this rule.

23 CHAIRPERSON TIMMERMAN: Right. How about  
24 ponds? Are we sticking with --

1 MS. LAND: I want to make sure I have this  
2 straight here.

3 CHAIRPERSON TIMMERMAN: Yeah. Yeah.

4 MS. LAND: So all zoning districts, except  
5 I-2 Industrial District, language to be added,  
6 Conditional Use borrow pits under 1 acre in surface  
7 area.

8 CHAIRPERSON TIMMERMAN: Do we want to say a  
9 percentage also?

10 MR. EVANS: Of ground or --

11 CHAIRPERSON TIMMERMAN: Percentage of the --

12 MR. EVANS: -- of the lot?

13 CHAIRPERSON TIMMERMAN: -- dirt needs to  
14 stay on site.

15 MS. LAND: What percentage?

16 CHAIRPERSON TIMMERMAN: I'd say 50.

17 MR. CORDONNIER: I was going to say  
18 50 percent.

19 CHAIRPERSON TIMMERMAN: Yeah. What did you  
20 see when you were reading?

21 MS. LAND: They were 100 percent.

22 CHAIRPERSON TIMMERMAN: 100 percent has to  
23 stay on site?

24 MS. LAND: Uh-huh. I was thinking more like

1 75 or something to make it -- you know, we don't want  
2 them deciding --

3 CHAIRPERSON TIMMERMAN: Really discourage  
4 it.

5 MS. LAND: Yeah. To really discourage  
6 anything commercial.

7 MR. EVANS: You're the one sitting there  
8 with the customer saying, Well, I guess we'll dig it  
9 twice as big so we can take --

10 MS. LAND: Take half of it out.

11 CHAIRPERSON TIMMERMAN: Is that 75 then?

12 MR. EVANS: Yeah. That's good.

13 MS. LAND: Is that okay?

14 SECRETARY STACY: Yeah.

15 MS. LAND: So it would say, Borrow pits  
16 under 1 acre in surface area with 75 percent of the  
17 soil excavated must retain on this parcel.

18 CHAIRPERSON TIMMERMAN: For all borrow pits.

19 MS. LAND: For all borrow pits in everything  
20 except I-2.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: Now, we're down to the I-2  
23 Conditional Use. And we have, The following uses  
24 shall be permitted subject to conditions hereinafter

1 imposed for each use and subject further to the review  
2 and approval of the Board of Zoning Appeals.

3 I think it should be zoning commission. Not  
4 Board of Zoning Appeals.

5 Borrow pits under 1 acre in surface area,  
6 with 75 percent of the soil excavated remaining on the  
7 parcel. And, then, also -- because that's the same as  
8 what's allowed everywhere else.

9 And, then, also, borrow pits, 3 acres -- do  
10 you want to say just 3 acres, or 3 acres and not  
11 greater than something in surface area? 3 acres is  
12 your maximum?

13 MR. EVANS: Right.

14 CHAIRPERSON TIMMERMAN: I think 3 is the  
15 maximum.

16 MS. LAND: Okay.

17 CHAIRPERSON TIMMERMAN: So 2 or 3 acres.

18 MS. LAND: Okay. And with how much of it  
19 staying on the property?

20 CHAIRPERSON TIMMERMAN: I mean, in I-2, it's  
21 basically a business at that point.

22 SECRETARY STACY: Uh-huh.

23 MS. LAND: Although, in I-2, it could also  
24 be the ability to get their site set up. You know,

1 like Lowe's, I think they had to really raise that  
2 platform up.

3 CHAIRPERSON TIMMERMAN: But that would be in  
4 I-1, right?

5 MS. LAND: Well, it could be.

6 CHAIRPERSON TIMMERMAN: I guess I-1  
7 businesses could be located in I-2 as well.

8 MS. LAND: Right.

9 CHAIRPERSON TIMMERMAN: So -- but that was  
10 all kept on site again.

11 MS. LAND: Right. But I think the 3 acre --  
12 the ones you're talking about are the commercial ones,  
13 and that would only be in I-2 that we'd have to worry  
14 about. Do we want to have them keep anything on their  
15 site? That would defeat the purpose of their  
16 industrial borrow pit totally, unless they just want  
17 to teach guys how to use heavy equipment.

18 CHAIRPERSON TIMMERMAN: Training facility.

19 MS. LAND: Training facility. Playground  
20 for little kids to come watch.

21 CHAIRPERSON TIMMERMAN: I mean, it is  
22 limiting their business at that point.

23 MS. LAND: A little bit.

24 CHAIRPERSON TIMMERMAN: So did you see other

1 townships that really limited --

2 MS. LAND: The cases I was reading were ones  
3 that were in areas other than an industrial area --

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: -- where they wanted to put them  
6 in, like, an agricultural area or one of those.

7 (Ms. Pargeon joined the proceedings.)

8 CHAIRPERSON TIMMERMAN: How about the 170,  
9 or whatever, acre place borrow pit.

10 MS. LAND: 117.

11 CHAIRPERSON TIMMERMAN: Whatever it was. I  
12 mean, if they had to keep dirt on the site --

13 MS. LAND: They wouldn't want it. Couldn't  
14 use it. They would never be there. Yeah.

15 CHAIRPERSON TIMMERMAN: Right. So in that  
16 scenario --

17 MS. LAND: We would have stopped them cold  
18 and I wouldn't be up to my elbows in litigation.

19 CHAIRPERSON TIMMERMAN: So at some point  
20 there, that's a good thing?

21 MS. LAND: Right.

22 MR. EVANS: Which helps limiting it to  
23 3 acres.

24 CHAIRPERSON TIMMERMAN: 3 acres really

1 limits it, too.

2 MS. LAND: It's not worth their time.

3 CHAIRPERSON TIMMERMAN: At 3 acres.

4 MS. LAND: I wouldn't think.

5 MR. EVANS: So at 3 acres, do we care too  
6 much, or are we concerned with -- unless they dig it  
7 to China.

8 CHAIRPERSON TIMMERMAN: Is there a limit on  
9 depth? I mean, do people do that?

10 MS. LAND: I'm sure you could.

11 CHAIRPERSON TIMMERMAN: What's a reasonable  
12 number for depth?

13 MS. LAND: There are -- yeah. It depends  
14 maybe where bedrock is. But I understand that in  
15 Seneca County -- and I'm not completely sure. I got  
16 all of this sort of in a roundabout wonky way -- that,  
17 when they got down -- the same company I'm dealing  
18 with now, when they got down to their bedrock, they  
19 started quarrying the bedrock and the stone.

20 CHAIRPERSON TIMMERMAN: So they changed what  
21 their strategy -- their business was at that point?

22 MS. LAND: Yeah. Right. For the --

23 CHAIRPERSON TIMMERMAN: They just want to  
24 keep going.

1 MS. LAND: So that lends the issue they  
2 could get into water tables and aquifers.

3 SECRETARY STACY: Are they blasting any?

4 MS. LAND: I have no idea. I didn't get  
5 into it that far.

6 SECRETARY STACY: Groundwater would concern  
7 me big time.

8 MR. EVANS: Yeah.

9 MS. LAND: I think, even if they scrape down  
10 to bedrock, groundwater could be --

11 SECRETARY STACY: Sure. Yeah.

12 MS. LAND: -- in trouble.

13 MR. EVANS: Should we put a 20-foot limit,  
14 or something like that?

15 CHAIRPERSON TIMMERMAN: I'd put a limit  
16 based on what I'm --

17 SECRETARY STACY: I honestly don't know how  
18 far bedrock --

19 CHAIRPERSON TIMMERMAN: I don't have a clue.

20 MS. LAND: Instead of a limit, because  
21 bedrock some places is only about 8 feet below the  
22 surface. Some places it's 30 in this county. You  
23 could maybe say, No deeper than --

24 MR. CORDONNIER: Some places is a foot.



1 MS. LAND: -- 3 feet above bedrock.

2 MR. EVANS: No deeper than what?

3 MS. LAND: Like, 3 feet till bedrock. You  
4 know, go from the opposite direction. Instead of the  
5 top down, the bottom up. That way it varies. Some  
6 places they may only be able to skim off 5 feet; other  
7 places they might be able to skim off 30. Who knows.

8 SECRETARY STACY: I don't want them into  
9 bedrock.

10 CHAIRPERSON TIMMERMAN: How do you know when  
11 you're 3 feet from bedrock? When you hit it, you come  
12 back up?

13 MS. LAND: They better have engineers who  
14 know.

15 MS. PARGEON: Don't they have tools they can  
16 run down and find out?

17 MS. LAND: Yeah. They're able to tell where  
18 bedrock is before they start digging, so they'll know  
19 what their depth is. And I think -- I'm outside my  
20 area of expertise, but I'm also almost positive we can  
21 find out where bedrock is. They can do it with core  
22 samples.

23 CHAIRPERSON TIMMERMAN: Sure.

24 MS. LAND: Unless they do like they did when

1 they built the jail back in 1988. They thought they  
2 hit bedrock. Turns out it was just a big rock, and  
3 kept going and they didn't hit bedrock. It was a bit  
4 of a mess. That was before my time. I just heard  
5 about it.

6 CHAIRPERSON TIMMERMAN: So, yeah, I wouldn't  
7 want to get to bedrock at that point.

8 SECRETARY STACY: No.

9 MR. EVANS: No, we don't want people digging  
10 big holes around here.

11 MS. PARGEON: Well, if they hit an aquifer,  
12 it'd be a mess.

13 SECRETARY STACY: We don't want to  
14 compromise wells.

15 MS. LAND: Once they get down to bedrock,  
16 they have definitely the possibility of infecting or  
17 contaminating --

18 MS. PARGEON: The underground water. Yeah.  
19 You have to really consider that.

20 MS. LAND: Or fracking it and having it leak  
21 out, which will drain everybody's wells. That's never  
22 a nice thing.

23 MR. EVANS: That would be a catastrophe.  
24 All for letting somebody in to do something.

1 SECRETARY STACY: Right.

2 CHAIRPERSON TIMMERMAN: So do we want to  
3 approach it from the so many feet from bedrock then?

4 MS. PARGEON: Depends on what kind of rock  
5 it is.

6 MR. EVANS: Like, let's say there's no  
7 bedrock.

8 CHAIRPERSON TIMMERMAN: What's that?

9 MR. EVANS: Or is there always bedrock?

10 MS. LAND: There's always bedrock.

11 SECRETARY STACY: It's just a matter of how  
12 deep.

13 MS. LAND: There are places up by the  
14 hospital where the bedrock is only, like, 3 feet down.

15 MR. CORDONNIER: I lived on Hurd Avenue and  
16 hit Bedrock consistently about 12 inches down.

17 MS. LAND: That spot over on -- like, in  
18 Washington Township, over by the Seneca County line,  
19 it's about 32 feet.

20 CHAIRPERSON TIMMERMAN: What if we did,  
21 like, a, you know, 5, 10 feet from bedrock, or 20 feet  
22 down --

23 MR. EVANS: Max.

24 CHAIRPERSON TIMMERMAN: -- whichever --

1     yeah, max.

2                     MS. LAND:    Okay.

3                     MR. EVANS:   That way, if they're not sure  
4     where bedrock is, but they need 50 feet of soil,  
5     they're probably going to abandon their plans if they  
6     know that 3 acres, 20 feet, they can't get anything  
7     they need out of there.

8                     MR. CORDONNIER:  They're going to look at  
9     the zoning -- Allen Township Zoning rules, and they're  
10    going to move on to the next township.

11                    MR. EVANS:    That's okay.

12                    MS. LAND:    It doesn't mean they can't do it,  
13    but it's just maybe not as lucrative as some place  
14    that's still a sitting duck.

15                    CHAIRPERSON TIMMERMAN:  Then you don't end  
16    up with some huge hole.

17                    MS. PARGEON:  And, then, what if you hit a  
18    spring?  Then you've got the water shooting up, then  
19    you've got a real problem.

20                    MS. LAND:    That's their problem.

21                    CHAIRPERSON TIMMERMAN:  Yeah.

22                    MS. LAND:    I'm going to make a note here to  
23    add depth provisions here and I will have to sort of  
24    figure out how to word it.

1           No borrow pit can be closer than 10 feet to  
2 the bedrock and no deeper than 20 feet. So we'll  
3 figure it out. That sounds -- that's still very  
4 confusing. I'll find out -- I'll figure out a way to  
5 say it. But those are our issues. No more than  
6 20 feet down, as long as they still are 10 feet off  
7 bedrock. Maybe we'll have an illustration.

8           MS. PARGEON: How tall is the ceiling in  
9 here? That will give you --

10          MS. LAND: Probably about 10 feet.

11          MS. PARGEON: So twice that, that would be  
12 20 feet.

13          MS. LAND: I was thinking of a cross-section  
14 picture.

15          CHAIRPERSON TIMMERMAN: I agree with that.  
16 Yeah.

17          We got to the bottom of that for now?

18          MS. LAND: 10 feet from it. Yeah.

19          CHAIRPERSON TIMMERMAN: Okay. Were we going  
20 to touch base on ponds at all with that, or is that  
21 still staying where it's at?

22          MS. LAND: We have 3 acres.

23          CHAIRPERSON TIMMERMAN: 3 acres for a  
24 residential pond?

1 MS. LAND: Uh-huh.

2 CHAIRPERSON TIMMERMAN: Or any pond?

3 MS. LAND: It's artificial ponds.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: It's all of them now.

6 CHAIRPERSON TIMMERMAN: Do we like that? Is  
7 3 acres huge?

8 MR. EVANS: That's a good size. I mean,  
9 it'd be okay for a subdivision. For one house, you  
10 know, unless they have a 10-acre lot, that's pretty  
11 big.

12 MS. LAND: It's a lot to maintain, 3 acres,  
13 too, as a pond, because ponds take work to be able to  
14 keep them from being icky.

15 MS. PARGEON: They start filling themselves  
16 in gradually.

17 CHAIRPERSON TIMMERMAN: Okay. If somebody  
18 was going to create a subdivision that would be a  
19 Planned Unit Development?

20 MS. LAND: Not necessarily.

21 CHAIRPERSON TIMMERMAN: Not necessarily?

22 MR. CORDONNIER: Subdivision described is --  
23 it would -- the subdivision would be zoned whatever,  
24 R-1, R-2.

1 MS. LAND: R-1. Yeah.

2 MR. CORDONNIER: And the Subdivision  
3 Regulations, you could only split so many lots before  
4 you were forced to create a subdivision.

5 CHAIRPERSON TIMMERMAN: Right.

6 MR. CORDONNIER: And the subdivision, then,  
7 they do a Preliminary Plat. The creation of the  
8 subdivision is not the zoning. It's not a PUD. It  
9 could be, but it's more the process. They do a  
10 Preliminary Plat, which is reviewed by Regional  
11 Planning.

12 They do construction drawings, which is  
13 reviewed by the county engineer's office. And, then,  
14 they submit a Final Plat to Regional Planning. So  
15 that's more of the process. That creates all the  
16 lots. That creates the public right-of-way, the  
17 drainage, and how everything works is all worked out  
18 through that process.

19 CHAIRPERSON TIMMERMAN: And what you were  
20 describing earlier, that was all detention ponds,  
21 right?

22 MR. CORDONNIER: Uh-huh.

23 CHAIRPERSON TIMMERMAN: And is that  
24 different than -- does that -- would that -- I mean,

1 would they be at -- if we would change it from 3 acres  
2 down to 1 acre, would that then -- would a 6-acre  
3 detention pond, is that still achievable in a  
4 subdivision, or is that the same rules and it would  
5 still apply to only 1 acre?

6 MS. LAND: If you want to make sure that  
7 it's not unclear, you could change it to 1 acre or a  
8 larger size in a platted subdivision approved by  
9 Regional Planning and the county engineer. So if  
10 they've approved a plat that has a 6-acre detention  
11 pond in it, then you guys are okay with it.

12 MR. CORDONNIER: That would be helpful,  
13 because, if, in the platting process, we've looked  
14 through your code, and we're, like, well, ponds are  
15 only 1 acre, then we would go back and tell the person  
16 doing the subdivision, Well, I guess you need to split  
17 this into, like, five different ponds.

18 MS. LAND: The problem has been, in the  
19 past, that nobody had any limits on the size of ponds,  
20 so it didn't matter.

21 MR. CORDONNIER: Yeah.

22 MS. LAND: But, now, they're getting those.

23 One of the other things that you need --  
24 that was the other thing I noticed. They -- most of



1 them had limits on how many ponds could be on a  
2 parcel. If they want to have, you know, 50 acres of  
3 pond, and you tell them you can't have more than  
4 3 acres, we don't want them having multiple ponds.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: Which, eventually, will probably  
7 erode into one big pond like we didn't want. But I  
8 thought Liberty Township was going to make an issue  
9 with how many ponds or how close together they could  
10 be. I didn't see that in the -- not Liberty. I don't  
11 know why I keep saying that. Washington Township.

12 MR. CORDONNIER: Yeah. I don't think --

13 MS. LAND: I don't think they did.

14 MR. CORDONNIER: I don't think that was  
15 addressed.

16 MS. LAND: I think it might be something to  
17 actually consider because -- yeah, the case I was  
18 reading was a guy who owned a topsoil kind of business  
19 and he wanted this piece of property so he could take  
20 out -- you know, he said he was going to build a pond.  
21 He was going to build -- he told them, in the first  
22 place, he was going to build -- he was just going to  
23 take the dirt for his business, and they said no.  
24 And, then -- because they had that regulation.

1           And, then, he wanted to have several ponds,  
2 and they said no.

3           Then his mother said, He's building me a  
4 house there, and I want to have several ponds, and  
5 they said no. And just there's a whole lot of suing  
6 going on.

7           But, in the end, the township won because  
8 they had it set out that they couldn't have bigger  
9 than a certain size of pond, the dirt had to stay on  
10 the property, and there could only be so many ponds  
11 per parcel, which I think was one, if I can recall.

12           So no matter what you work out, somebody's  
13 going to try to find a way to do something that you  
14 don't expect.

15           CHAIRPERSON TIMMERMAN: Right.

16           MS. LAND: As much as you can tighten it up  
17 without being overly restrictive, it's probably a  
18 really good idea.

19           MR. EVANS: Do you want to have a max pond  
20 size for, like, a single lot, and, then, something  
21 other than -- like, up to 6 acres for a subdivision,  
22 and up to -- is 3 acres too big if somebody wanted to  
23 put a 3-acre in a 20-acre parcel they had for a house?  
24 Would that be okay?

1 MS. PARGEON: Depends what they plan to use  
2 the pond for.

3 CHAIRPERSON TIMMERMAN: We've got a guy  
4 raising his hand.

5 FROM THE FLOOR: I would say this: 3 acres  
6 is big for a residential pond. But, agriculture, that  
7 can lead into it, which is not just agriculture, but  
8 aquaculture. So they might do multiple series of  
9 ponds interconnected, and that's for a -- that's just  
10 to keep their fish separate. I don't know if that --

11 MS. LAND: That would probably be an  
12 exception to the whole pond deal because that's  
13 agriculture. Aquaculture is considered agriculture,  
14 and agriculture and any kind of structures that need  
15 to be built for it aren't excluded anywhere, except in  
16 a platted residential area that have less than 1-acre  
17 lots. Then you can say you can't have your  
18 Agricultural uses; but everywhere else, they are  
19 permitted. So I think they would jump through that.  
20 It wouldn't affect them.

21 FROM THE FLOOR: I think, overall, 3 acres  
22 for a residential pond is big, but it's not insanely  
23 big. And I think it might be manageable when you  
24 have, like you pointed out, 20-acre parcels, 3 acres

1 is going to look small if you make it an acre. An  
2 acre pond is not that big. Those are quite common.

3 CHAIRPERSON TIMMERMAN: Okay.

4 FROM THE FLOOR: I think if you're trying to  
5 keep restrictions less on Agricultural and  
6 Residential, then maybe go a little bit bigger on  
7 that, like, the 3.

8 CHAIRPERSON TIMMERMAN: We'll just keep --

9 MS. LAND: And the 3 number came from  
10 Washington Township. Randy Boes had a big input in  
11 what he builds, what he sees; and --

12 CHAIRPERSON TIMMERMAN: Sure.

13 MS. LAND: -- he didn't think 3 was out of  
14 this -- you know, outrageously large either, just  
15 because out of his experience from what he's been  
16 doing.

17 CHAIRPERSON TIMMERMAN: Then I suggest we  
18 keep 3 and we limit it to one per lot.

19 MR. EVANS: Uh-huh.

20 MS. LAND: What about subdivisions?

21 CHAIRPERSON TIMMERMAN: And if you can put a  
22 provision in there kind of to what you guys were  
23 saying earlier where, depending upon what Regional  
24 Planning suggests.

1 MR. CORDONNIER: No.

2 MS. LAND: A platted subdivision.

3 MR. CORDONNIER: Platted subdivision.

4 I'd say up to 6 acres for a platted subdivision  
5 because I know Forest Lakes is pretty big.

6 MR. EVANS: There's one in Hillcrest that's  
7 pretty big, too.

8 MR. CORDONNIER: Yeah, they're all --

9 MR. EVANS: Don't want them too big. The  
10 idea of the developer is he wants to have water lots  
11 for --

12 MS. LAND: For as many as he can get.

13 MR. CORDONNIER: That's true. But at the --  
14 you'd be surprised at how big the detention ponds have  
15 to be. I mean, they --

16 MS. LAND: Especially the subdivisions that  
17 are building large houses, covering quite a lot of the  
18 surface area of the ground. They need bigger  
19 detention ponds because there's more runoff and you've  
20 got to wait for it too. When people build  
21 half-million-dollar houses, they do not like getting  
22 water backing up into their --

23 MR. CORDONNIER: Lakeview's will rise 4 to 6  
24 feet in a rainstorm.

1 MS. LAND: Forest Lakes rises enough to go  
2 in the patio doors of these people that have their  
3 houses built on the hill.

4 MR. CORDONNIER: Because, I mean, all -- all  
5 that water is draining.

6 MS. LAND: But, really. You build your  
7 house on a hill with your patio doors open into the  
8 pond, you've got to figure you're going to get fish  
9 eventually. They do. I'm not one of them.

10 CHAIRPERSON TIMMERMAN: You say at a limit  
11 of 6. Is 6 -- is there a reason behind 6 acres?

12 MR. CORDONNIER: We have some that --

13 MS. LAND: That are 6.

14 MR. CORDONNIER: -- that are 6.

15 MS. LAND: You can't really contemplate when  
16 either -- Lakeview is like a pretty lavish, big --

17 MR. CORDONNIER: But I --

18 MS. LAND: Hillcrest is pretty close to that  
19 kind of concept. What about the other one out here  
20 on -- that might be in Liberty, it's not Allen.

21 MR. CORDONNIER: 6 is probably the largest  
22 we have. And depending on the topography, sometimes  
23 you -- I mean, sometimes they need to -- oftentimes  
24 you have -- you know, there's a -- everything's flat.

1 Everything has elevation. And, so, you know, it rises  
2 in the middle. It's like, well, you can't send it all  
3 to that side, so you have two detention ponds on each  
4 side of the rise. So I would say 6 is pretty safe  
5 just because topography. You know, you've got to send  
6 water in different directions. That's what we  
7 normally see.

8 MS. LAND: And there's always that  
9 possibility that, you know, there is -- there is the  
10 variance kind of option here. So if, for some reason,  
11 someone comes along and they need an 8-acre pond for  
12 some reason, they can come and make their pitch when  
13 they're doing their -- setting up their plats, that,  
14 yeah, we'll allow it for whatever reason.

15 So it's not that you're closing off anything  
16 that could ever come that way. But they come in and  
17 say, This is because of the way things are, it would  
18 have to be this much, then you can make those kind of  
19 exceptions.

20 SECRETARY STACY: Sure.

21 MS. LAND: They are not common, not  
22 something you do all the time; but there's a list of  
23 reasons to do a variance.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MR. EVANS: Good with 6?

2 SECRETARY STACY: Uh-huh.

3 CHAIRPERSON TIMMERMAN: Sure.

4 MS. LAND: Okay. That's really covering a  
5 lot of things that we had concerns with, I think.

6 SECRETARY STACY: Did we address --

7 MS. LAND: We already have in here a limit  
8 of one pond per parcel.

9 SECRETARY STACY: Did we address growth of  
10 nonconforming uses?

11 MS. LAND: No. That's one of the things  
12 that you do need to look at.

13 15. That's just the last one before I  
14 stopped giving you guys the updates.

15 CHAIRPERSON TIMMERMAN: Did you have a page  
16 number, Dave?

17 MR. EVANS: Is that 40? Maybe it's 40.

18 MS. PARGEON: Not to form a nuisance  
19 structure (unintelligible).

20 MS. LAND: It is Page 40. Yeah, it's in the  
21 General --

22 CHAIRPERSON TIMMERMAN: General Provisions.

23 MS. LAND: General Provisions, Section 15,  
24 which I think will change to Section 14. I'm not



1 completely sure yet on some of those.

2 MR. EVANS: It should be 40. I think it's  
3 still Page 40. Yeah.

4 SECRETARY STACY: Nonconforming.

5 MR. EVANS: The top of it says General  
6 Provisions.

7 MR. CORDONNIER: It's Page 40.

8 SECRETARY STACY: Yeah. So, again, in  
9 looking at other townships, their Resolutions, I'm  
10 seeing where they just come out and say zero percent  
11 growth. I saw one that was 20 percent growth. But...

12 MS. LAND: One of the townships says they  
13 can grow as big a percentage as they want, as long as  
14 they stay on the lot that they own; that they don't  
15 buy more property and expand that way. That's pretty  
16 liberal. That's one of the most liberal ones I've  
17 seen.

18 MR. EVANS: But they'd have to use whatever  
19 new setbacks were adopted; is that right?

20 MS. LAND: Yeah. Uh-huh. But if they are  
21 on a 50-acre parcel, something could grow into  
22 something way bigger than what it currently is and  
23 just continue to go, even though it's not permitted,  
24 if you don't have a percentage on it.

1 MR. CORDONNIER: Findlay, you can expand as  
2 much as you want as long as you aren't making the non  
3 -- as long as you're not --

4 MS. LAND: Increasing --

5 MR. CORDONNIER: -- increasing the  
6 nonconformity.

7 So if the building's 8 feet from the  
8 property line, and there's a 10-foot setback, you can  
9 expand that building, as long as you don't go closer  
10 than the 8 feet.

11 CHAIRPERSON TIMMERMAN: So the new -- the  
12 addition would not --

13 MR. CORDONNIER: Actually, I think I  
14 misspoke. No, the addition has to meet it.

15 MS. LAND: 10-foot.

16 MR. CORDONNIER: Sorry.

17 MS. LAND: Because that would increase the  
18 nonconformity to add the building utility.

19 MR. CORDONNIER: I misread that. Sorry.

20 MS. LAND: The problem -- and that's fine,  
21 especially in a city when the lots aren't so huge.  
22 But you have the potential to have huge lots where  
23 somebody has a nonconforming use where, you know, for  
24 example, I'll use the O.H. Materials out there on 224.

1 That started out as a nonconforming -- well, it wasn't  
2 even nonconforming; it was a Use Variance. And  
3 because they had the variance that they could have  
4 that there, they just kept growing and growing and  
5 growing because they were on the same lot. And now  
6 look at it. It's a huge complex which is partially  
7 abandoned and it has other things in there, and it's  
8 not that one cohesive company that it had been, which  
9 has the potential -- I mean, right now, it still looks  
10 wonderful. But it has the potential that it could go  
11 into something really ugly, and you don't want to have  
12 those things be permitted without some understanding  
13 of what the process -- what it's going to be.

14 Especially if it's already nonconforming, means it's  
15 not something that you thought would ever be there.

16 CHAIRPERSON TIMMERMAN: Right.

17 MS. LAND: And there are a lot of things  
18 that are -- will end up being nonconforming.

19 CHAIRPERSON TIMMERMAN: Uh-huh.

20 SECRETARY STACY: It's just the nature of  
21 our township is that -- that we will have a great  
22 deal.

23 It almost seems like you can almost make  
24 like a case-by-case situation. I mean, if it's

1 nonconforming, if they don't keep up the property now,  
2 I would have concern that growth -- that that new  
3 growth would be, again, a nuisance or eyesore or  
4 impact on the neighbors. But you have the flip side,  
5 maybe it's nonconforming, but it actually serves a  
6 purpose in the community. They take care of their  
7 property. They do have setbacks. I mean, how do you  
8 wrangle all that together. And we've not had zoning  
9 for so long, we have such a hodgepodge.

10 MS. LAND: And the whole -- I understand  
11 that it makes sense that it could be a case-by-case;  
12 you can't do it that way. You'll end up having  
13 yourselves be accused of playing favoritism, having  
14 somebody get something that somebody else doesn't,  
15 because your thought process may change throughout  
16 the -- while you're doing it and, you know, it's just  
17 setting yourselves up to be accused of being  
18 arbitrary, and that's an unconstitutional option.

19 If you're accused of applying your zoning  
20 regulation in an unconstitutional manner, you could  
21 lose big portions of the whole Resolution. It could  
22 be determined to be null and void. That's why we have  
23 that severance clause there in the back that, if they  
24 challenge your -- like, if you did that and somebody

1 challenged it's unconstitutional, the way you do  
2 nonconforming, that could get tossed and it wouldn't  
3 exist anymore. The rest of the code would be okay,  
4 but nonconforming would be a free-for-all, so you want  
5 to have --

6 MR. CORDONNIER: You don't get that luxury  
7 of, Well, they're a good owner.

8 MS. LAND: Yeah.

9 MR. CORDONNIER: I would say, if they have  
10 outstanding violations -- I don't know if there's a  
11 clause in here. But if they have outstanding  
12 violations, like, that you can't get -- like, you  
13 can't get more permits until your violations are taken  
14 care of.

15 MR. EVANS: Like screening or whatever.

16 MR. CORDONNIER: Yeah.

17 MR. EVANS: Part of what I look at, I'm  
18 trying to look at both sides. When I see all the  
19 scattered red marks in here, I think all of those were  
20 put in there and perfectly legally.

21 SECRETARY STACY: Uh-huh.

22 MR. EVANS: And I think it's kind of bad  
23 that now, all of a sudden, we're labeling them  
24 nonconforming when they didn't do anything wrong; it's

1 just that now that we're zoned. It seems like we have  
2 to be somewhat lenient.

3 MS. LAND: The only way it can be a valid  
4 nonconforming use is if it's a legal use. If somebody  
5 is doing something that's not a legal option -- which  
6 don't ask me what that could be because I haven't  
7 really thought about that that much -- but it  
8 specifically says a legal use, so I don't think you  
9 have any that are not legal uses. If you did, you  
10 guys would all know about it. It's a small enough  
11 community.

12 MR. EVANS: Like marijuana.

13 MS. LAND: That's legal now. Not in this  
14 township.

15 SECRETARY STACY: Not commercial.

16 MR. CORDONNIER: The way I understand it,  
17 let's talk about, like, two scenarios. Scenario One  
18 is a car dealership was put into effect before zoning,  
19 so a bank -- and it's still a car dealership. So the  
20 bank calls me, and we say, But it's zoned. Now it's  
21 zoned R-1. So the bank calls us, we say, It's a legal  
22 nonconforming use.

23 CHAIRPERSON TIMMERMAN: Uh-huh.

24 MR. CORDONNIER: Then, there's another

1 scenario where it's zoned Residential and, two years  
2 ago, they put in a car lot. The jurisdiction didn't  
3 notice. We get a call from the bank and we would just  
4 say, It's illegal. We have no permits for it. They  
5 did it without any permits. It's not the correct  
6 zoning. It's illegal.

7 So in my interpretation, all those would  
8 become legal nonconforming uses.

9 CHAIRPERSON TIMMERMAN: Right.

10 MR. EVANS: So there's a difference.

11 MS. LAND: I think you could end up with an  
12 illegal nonconforming use if somebody did something  
13 that wasn't permissible in the zoning therein, and it  
14 just slipped through the cracks. Then, when you  
15 rezoned, and it wasn't something that was supposed to  
16 have been there in the first place, then it doesn't  
17 get that nonconforming.

18 Like, if you change that from Residential to  
19 Business, or whatever, and it still doesn't fit in the  
20 new zoning code, it doesn't get to be nonconforming  
21 with those protections. It's still illegal. It  
22 shouldn't have been there. It wasn't allowed. So the  
23 legal part is probably not going to come up for a  
24 while. Everybody will be turned into a legal use,

1 nonconforming use because --

2 CHAIRPERSON TIMMERMAN: Initially.

3 MS. LAND: -- somebody that put anything  
4 there is legally able to do it.

5 CHAIRPERSON TIMMERMAN: Is there a way --  
6 with the growth, is there a way to, like, anybody that  
7 lives within a quarter of a mile gets a say into  
8 whether we're approving expansion? Does that make any  
9 sense? Like, I mean, they're the ones that are going  
10 to be most affected by it.

11 MS. LAND: Most nonconforming use expansions  
12 go through the zoning commission, right? Well, they  
13 don't normally. They wouldn't have to.

14 MR. CORDONNIER: Depending. So in the City  
15 of Findlay -- I hate saying that because I know we're  
16 different places, but it's just the way we handle --  
17 how we handle things. A residential house does not  
18 have to go -- you build a house, you just go pull a  
19 permit. There's no meetings. There's no nothing.

20 Rite Aid wants to build on a new section  
21 that's commercial, and that's -- our code says  
22 anything, apartments, commercial, industrial office,  
23 all have to go to Planning Commission for site plan  
24 approval. In that case, Rite Aid is a legal



1 nonconforming and they want to expand. They would  
2 have to go to Planning Commission. Our Planning  
3 Commission, we put a sign out, and, then, we send  
4 postcards. We draw a 250-foot buffer around -- now  
5 it's 500 -- a 500-foot buffer and we send out  
6 postcards saying, 100 Oak Street is on City Planning  
7 Commission and a super small description, the meeting  
8 is this date. Call for more information.

9 CHAIRPERSON TIMMERMAN: But is that a  
10 nonconforming use that they're wanting to expand? Is  
11 that a --

12 MR. CORDONNIER: Legally, yeah. I mean,  
13 legal non- -- legal nonconforming has to go to  
14 Planning Commission.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MR. CORDONNIER: Expansion of a use or  
17 structure has to go to Planning Commission.

18 CHAIRPERSON TIMMERMAN: But then --

19 MR. CORDONNIER: Other than Residential.

20 CHAIRPERSON TIMMERMAN: I'm just trying to  
21 think. Is that -- I don't know.

22 MS. LAND: Right now --

23 CHAIRPERSON TIMMERMAN: I'm just trying to  
24 think, like, if you -- you would still have guidelines

1 as to -- they're allowed to expand as much as they can  
2 on their property. That's kind of your guys' rules.

3 MR. CORDONNIER: Within the -- within --

4 MR. EVANS: Setbacks.

5 MR. CORDONNIER: -- the setbacks.

6 CHAIRPERSON TIMMERMAN: Right. Right.

7 So -- but is there a way to say, Hey -- like, I'm  
8 trying to see if there's a way to make it so that a  
9 business can expand a good bit, as long as it's not  
10 affecting the neighborhood in a bad way.

11 You know, like, if the neighbors -- if the  
12 neighbors are good with it, Okay, expand up to 50 --  
13 you know, 50 percent of what you currently are. But  
14 if everybody in the area is against you, what your  
15 business currently is and how it affects them,  
16 everybody around here, is there a way to make it so  
17 that you have a limit of 25 instead of 50 or  
18 something? Is there a --

19 MR. EVANS: Have you ever done that to where  
20 you have, like, let's say there's 20 neighbors, and  
21 11 say, no, they can't; nine, yes, they can. How does  
22 that --

23 MR. CORDONNIER: I mean, the Planning  
24 Commission, the zoning commission, I mean, if there's

1 30 people speaking against it, one speaking for it,  
2 that's an indication of -- but they still have to come  
3 up with non-arbitrary reasons for their decision.

4 MR. EVANS: Other than they don't like it?

5 MR. CORDONNIER: Yeah.

6 MS. LAND: The neighbors can't actually sway  
7 the vote based on what they don't like, versus what we  
8 have in the code.

9 Right now, what we have in here is no  
10 existing structure that is a nonconforming structure  
11 can be altered or expanded in any way. But a  
12 nonconforming use can be extended throughout the  
13 building, as long as none of it goes outside the  
14 building. So if they only had half of it set up as  
15 their store or their shop, they can expand to the  
16 whole building. That's fine. We don't care with  
17 this. But they can't build more shop on. Now, you  
18 can change it that they could build up to 50 percent  
19 more or 20 percent more.

20 CHAIRPERSON TIMMERMAN: Uh-huh.

21 MS. LAND: I think you can put it that it  
22 will be a Conditional Use and that the Conditional Use  
23 for it has to have notice sent to all the surrounding  
24 properties. But it doesn't change the -- you may end

1 up with a lot of angry people telling you no, and you  
2 have no reason to say no.

3 CHAIRPERSON TIMMERMAN: Exactly.

4 MS. LAND: So that's something that you need  
5 to keep in mind. Because just because people don't  
6 like it, if it's legal and allowed, you still have to  
7 let it happen.

8 CHAIRPERSON TIMMERMAN: And there's no way  
9 to legally --

10 MS. LAND: Not without running into that  
11 arbitrary and capricious issue again.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MR. EVANS: Does anything ever come into it  
14 where it's the legal or illegal nonconforming?

15 MS. LAND: It might. But it won't happen  
16 until after you've had a couple layers of zoning where  
17 it's -- because everybody is going to be legal this  
18 first time. And, then, they may not be legal if they  
19 change something.

20 MR. EVANS: After zoning.

21 MS. LAND: And, then, when zoning gets  
22 changed again, it's hard to find an illegal use  
23 frankly. In the city, it's easier because things can  
24 change inside of buildings pretty easy. The different

1 things that -- but it's not going to happen as often  
2 out here. It's one of those things where you're going  
3 to know it when you see it, but I can't give you an  
4 example.

5 MR. CORDONNIER: So one of these red spots  
6 zoned Agricultural is a legal nonconforming use. Can  
7 they expand their building?

8 MS. LAND: The building, no.

9 MR. CORDONNIER: Okay.

10 MS. LAND: They can expand what they're  
11 doing within their building, but they can't make any  
12 expansion that -- but no such use shall be extended to  
13 occupy any land outside such building. So, like, the  
14 wrecking yard, the building -- there's a wrecking yard  
15 there.

16 MR. CORDONNIER: Yeah.

17 MS. LAND: That's going to be in  
18 Agricultural, you think?

19 CHAIRPERSON TIMMERMAN: Where?

20 MS. LAND: You put it in Business, didn't  
21 you? Or Light Industrial?

22 SECRETARY STACY: We put it in Light  
23 Industrial.

24 CHAIRPERSON TIMMERMAN: Down there just

1 below I-2.

2 MS. LAND: Okay. Say it was in  
3 Agricultural, it would be a nonconforming use. It  
4 could stay there, but it can't expand.

5 CHAIRPERSON TIMMERMAN: Okay.

6 SECRETARY STACY: Since it's in  
7 Industrial --

8 MS. LAND: It can do -- yeah.

9 SECRETARY STACY: Yeah.

10 MS. LAND: But if it were, like, the  
11 recycling thing over by the landfill, it's going to be  
12 fine because you're looking at putting, you know,  
13 Industrial over there, Heavy Industrial, and it would  
14 be fine in there.

15 But they're in a building doing their  
16 recycling. If they just decide to take more part of  
17 their building to store more stuff in and do more  
18 recycling, that's allowed. But they can't build  
19 another building to have a scale house, or whatever.  
20 They wouldn't be able to expand in that manner with  
21 the way it's written.

22 MR. EVANS: No how, no way. You mean, like,  
23 applying for a variance?

24 MS. LAND: Well, that would be a Use

1 Variance, and that -- those are -- that way, a lot of  
2 dragons. Don't go there.

3 MR. EVANS: Yeah.

4 MR. CORDONNIER: At that point, what you  
5 tell the owner is apply for a rezoning. Get the  
6 zoning that you need.

7 CHAIRPERSON TIMMERMAN: Okay.

8 SECRETARY STACY: So that would come to the  
9 zoning commission?

10 MR. CORDONNIER: Come to the township. Yes.

11 MS. LAND: And, then, they would have to go  
12 through the hearing process, one with the zoning  
13 commission. When there's an application for a  
14 rezoning, that's an amendment to the Zoning Resolution  
15 and then Zoning Map.

16 If it's something that's going to rezone  
17 less than -- or 10 parcels or less, then every parcel  
18 that is surrounding that area needs to get a letter  
19 saying, We're going to have a rezoning hearing.

20 When somebody makes an application for a  
21 rezoning, they give it to your zoning inspector.  
22 Within five days, he has to give it to the Regional  
23 Planning, and, then, he has to set up a hearing for  
24 the zoning commission, not quicker than 20 days, not

1 longer than 40 days, from when he received that  
2 Resolution. It's very, very specific, this statute.

3 And, then, within 30 days after the zoning  
4 commission has their hearing, they have to determine  
5 if they're going to allow it, deny it, or modify it in  
6 some way. And they also have to acknowledge that  
7 they've received Regional Planning's recommendation  
8 and acknowledge whether they're going to take it or  
9 not.

10 And, then, it goes on. Once the zoning  
11 commission makes their determination, it goes to the  
12 trustees, and they have to have a notice. It's only  
13 ten days now for the notices, instead of 30. And,  
14 then, they have a hearing. What they're having a  
15 hearing on is the recommendation from the zoning  
16 commission, which was that you recommended they either  
17 accept it, they deny it, or they take it as you  
18 modified it.

19 The trustees, then, have their hearing; hear  
20 from people, and decide if they're going to make the  
21 zoning change, not make the zoning change, or modify  
22 what they got.

23 Once that happens, they pass a Resolution  
24 and the zoning book is -- or map is changed. All this



1 has to be published, too. Everything gets published.  
2 But, then, it doesn't actually change for 30 days  
3 because that 30-day window is when somebody can pass  
4 that petition to have what is decided by the zoning  
5 commission and the trustees put on the ballot.  
6 Happens all the time.

7 SECRETARY STACY: It will go on the ballot  
8 then?

9 MS. LAND: No. Only if somebody passes a  
10 petition.

11 SECRETARY STACY: Oh.

12 CHAIRPERSON TIMMERMAN: That's quite a  
13 process.

14 MS. LAND: Yeah. And after the 30 days has  
15 lapsed, if nobody has passed a petition, the new  
16 zoning goes into effect. The zoning change to the map  
17 or to the book goes into effect.

18 CHAIRPERSON TIMMERMAN: So if somebody does  
19 pass a petition, it's just put on pause?

20 MS. LAND: Yeah. It's stayed. It's on  
21 hold. That's when we were talking about things were  
22 being stayed, that's what that is, until it goes  
23 through the whole election process and the vote is  
24 certified.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: And it usually takes -- from the  
3 November election, they usually certify right around  
4 the week of Thanksgiving or the next week after; so  
5 you'd be looking at the end of November of that year.

6 SECRETARY STACY: Does that happen?

7 MS. LAND: It's happened once since I've --  
8 in 32 years, I've had it happen once.

9 SECRETARY STACY: In one of the  
10 neighboring --

11 MS. LAND: Washington Township. They  
12 rezoned to permit soccer fields. The neighbors didn't  
13 want it. They pass the petition and they got it beat;  
14 they didn't get their soccer fields.

15 MR. CORDONNIER: McComb had one that I was  
16 helping them with, but they only needed 42 signatures.  
17 For Findlay, you need 1,500. And, here, I don't know  
18 how many you would need, but the number of people you  
19 need to get to sign it is definitely --

20 MS. LAND: It used to be 8 percent. It  
21 changed to 15 with the Budget Bill this past year.  
22 15 percent, so they almost doubled it. 8 percent here  
23 is, what? 89 people. So you think about 150, 175.

24 CHAIRPERSON TIMMERMAN: Yeah. So,

1 currently, our nonconforming can expand within its  
2 current building?

3 MS. LAND: In the building.

4 MR. CORDONNIER: So you need to -- there's  
5 really -- nonconforming structure has the correct  
6 zoning, but it's not in conformance with one of those  
7 standards. That's legal depending on when they --  
8 there's a difference between nonconforming use and  
9 nonconforming structure.

10 CHAIRPERSON TIMMERMAN: Can you explain the  
11 structure.

12 MR. CORDONNIER: So nonconforming use, let's  
13 say it's R-1 Residential, and the home's been there  
14 for 150 years, and it's 6 feet over -- it's  
15 encroaching --

16 MS. LAND: That's a nonconforming structure.

17 MR. CORDONNIER: It's encroaching into one  
18 of the setbacks or lot coverage or anything there.  
19 And that structure can -- I mean, in general, that can  
20 be expanded, as long as you don't make -- as long as  
21 you follow the current standards.

22 CHAIRPERSON TIMMERMAN: And that's how ours  
23 is currently worded?

24 MS. LAND: It's written here it can --

1 MR. CORDONNIER: The structure can't.

2 MS. LAND: Uh-huh.

3 MR. CORDONNIER: Nonconforming structure.

4 CHAIRPERSON TIMMERMAN: It cannot what?

5 MS. LAND: Hold on a second. Let me  
6 double-check.

7 SECRETARY STACY: I think we're on Page 41.

8 CHAIRPERSON TIMMERMAN: Yeah.

9 MS. LAND: No such structure may be enlarged  
10 or altered in a way which increases its nonconformity,  
11 but such structures may be enlarged or altered in a  
12 way which does not increase its nonconformity. So  
13 they can grow as long as it does not increase the  
14 nonconformity.

15 CHAIRPERSON TIMMERMAN: Right.

16 MS. LAND: Like, if you have a house that's  
17 sitting too close to the setback on one side, if you  
18 want an addition on the back, you just have to make  
19 sure it's jogged over enough to be in the appropriate  
20 setback.

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: And that would not increase its  
23 nonconformity.

24 CHAIRPERSON TIMMERMAN: Yeah.

1 MR. CORDONNIER: Nonconforming use is, let's  
2 say, it's agriculture and you have a sheet metal shop  
3 or a tool and die shop or something.

4 CHAIRPERSON TIMMERMAN: Yeah.

5 MR. CORDONNIER: That would require  
6 Industrial, but it's zoned Agricultural, so you're a  
7 legal nonconforming use.

8 CHAIRPERSON TIMMERMAN: Yeah.

9 MR. CORDONNIER: And in that case, you can't  
10 add on to that.

11 MS. LAND: In that case, we've got the, you  
12 can't add to your structure or make your shop bigger,  
13 but you can expand to use the entire shop if you only  
14 use a half of it or a portion of it.

15 Up here, under the section regarding the  
16 nonconforming structures, is also where you have,  
17 Should the structure be destroyed by any means to  
18 extend or more than, we have 60 percent, of its market  
19 value appraised by the Hancock County Auditor,  
20 exclusive of the foundation, it shall be reconstructed  
21 only in conformity with the provisions of the  
22 Resolution.

23 So if it gets destroyed more than  
24 60 percent, they lose their nonconformity for the

1 structure. They have to -- when they fix it, they  
2 have to put it in conformity.

3 Some townships say 100 percent destroyed  
4 before it has to -- because, you know, 60 percent, but  
5 they want to rebuild it, but they can't really move  
6 the foundation.

7 MR. EVANS: That's the thing. I don't know  
8 how you -- if you have a fire and you lose that much  
9 percentage, you can't -- it might be the part that was  
10 good is on the nonconforming side and the fire was  
11 over here where you can't -- I don't know how you  
12 could tell somebody, Hey, you've got to tear that good  
13 side off because it's in the nonconforming and you  
14 lost this much value. It seems like that doesn't make  
15 sense.

16 SECRETARY STACY: Yeah.

17 MR. CORDONNIER: It seems like I'd go 75 or  
18 100. But, again -- and Cindy was right. This is not  
19 an issue that you will deal with nearly as much in  
20 cities as much -- the city's -- the whole  
21 three-quarters of the city was built 100 years ago,  
22 and there was no zoning, so we have got a ton of  
23 nonconforming structures. But, out here, you've got  
24 5-acre lots. I mean, you would have to be

1 hard-pressed to --

2 SECRETARY STACY: What year was zoning put  
3 in for the city?

4 MR. CORDONNIER: '57.

5 MS. LAND: Marion Township was '62. And  
6 Washington was in the mid '60s. I don't know about  
7 the others.

8 SECRETARY STACY: Liberty was put in '74, so  
9 it's 50 years.

10 MS. LAND: And Delaware and Jackson had been  
11 within the last 30 years.

12 SECRETARY STACY: Okay.

13 MS. LAND: Because I was here when it went  
14 through. Cass, I don't know.

15 MR. EVANS: I think we need to raise that  
16 60 percent to at least 75 for the reason of, you know,  
17 like what I stated.

18 SECRETARY STACY: Right. And that makes  
19 sense. If the foundation is good, you're going to  
20 tell the person --

21 MR. EVANS: You've got to put a new  
22 foundation in 5 feet away from your current  
23 foundation.

24 SECRETARY STACY: Yeah. That's --

1 MR. EVANS: Because that 5 feet --

2 MS. LAND: Basically you're telling them if  
3 it's a 60 percent loss, it's a 100 percent loss.

4 MR. EVANS: Right.

5 MS. LAND: You can't reuse it. Now we're  
6 saying if it's a 75 percent loss, it's a 100 percent  
7 loss. They have to move on and do something  
8 different. And I think, realistically, if your house  
9 or your structure is damaged down to only 25 percent  
10 less --

11 MR. EVANS: Insurance is --

12 MS. LAND: -- chances are good they're not  
13 going to let you fix it. They're going to say, Start  
14 again.

15 MR. EVANS: And then you'll fix it.

16 CHAIRPERSON TIMMERMAN: So 75 then?

17 SECRETARY STACY: That works.

18 CHAIRPERSON TIMMERMAN: That's fine.

19 Are we good on nonconforming structures  
20 then?

21 MS. LAND: I just -- don't know what I just  
22 did, but I lost what I typed.

23 MR. EVANS: Actually the other thing that's  
24 going to kind of mess things up is when they talk



1 about the value appraisal by the Hancock County  
2 Auditor, you know that's actually a lot lower than  
3 what it actually is. So the bad thing there is let's  
4 say you have a \$400,000 building, and the Hancock  
5 County Auditor has a \$200,000 value on. If it  
6 75 percent is destroyed, that's \$150,000. Well, it's  
7 not that hard to get \$150,000 damage.

8 MS. LAND: On a \$400,000 house.

9 MR. EVANS: Right.

10 MS. LAND: So I think the auditors are  
11 working harder at having legitimate appraisals but  
12 they're still always on the low side. Almost nobody  
13 would sell for what the auditor's appraisal is.

14 SECRETARY STACY: Right.

15 MR. CORDONNIER: And people will work hard  
16 to get around it. They'll find a contractor that  
17 says, Well, this is only \$80,000 to fix, which is  
18 right below your threshold. You know, it's just --  
19 so...

20 MS. LAND: I guess. Right. I don't  
21 remember having a fight with anybody on this in all  
22 the years I've been doing zoning.

23 SECRETARY STACY: Nonconforming.

24 MS. LAND: With it being destroyed --

1 MR. EVANS: Structure.

2 MS. LAND: Yeah. Structural destruction.

3 So, I mean, if you give them the 75 percent,  
4 I think you're probably pretty -- being pretty  
5 liberal. They have a lot of wiggle room.

6 CHAIRPERSON TIMMERMAN: Okay.

7 MS. LAND: And if -- you know, we have in  
8 here the appraisal by the Hancock County Auditor, you  
9 know, it's kind of a double-edged sword because if  
10 they have a \$400,000 house, do they really want the  
11 auditor changing it to a \$400,000 taxable house, or do  
12 they want to keep their \$200,000 and deal with the  
13 75 percent? So it gives some different things to  
14 juggle.

15 If my house was, you know -- if it were a  
16 \$400,000 house and they only had me paying taxes on  
17 \$200, I'd keep my mouth shut.

18 MR. EVANS: Until it caught on fire.

19 MS. LAND: The auditor lives in my  
20 neighborhood and she keeps going around raising our  
21 taxes. I think we've been raised more than anybody in  
22 the county over the last 10 years.

23 SECRETARY STACY: She's probably more  
24 familiar with that's going on.

1 MS. LAND: She's, like, Nobody's going to  
2 accuse me of having my neighborhood not right.

3 MR. EVANS: Flatten her tires.

4 MS. PARGEON: Let the air out. Yeah.

5 CHAIRPERSON TIMMERMAN: Nonconforming uses.

6 MS. LAND: Do you want to keep the -- under  
7 A, we say no structure may be enlarged -- that's still  
8 on structures.

9 CHAIRPERSON TIMMERMAN: Okay. Sorry. No,  
10 you're good.

11 MS. LAND: No such structure may be enlarged  
12 or altered in any way which increases its  
13 nonconformity. We okay with that?

14 CHAIRPERSON TIMMERMAN: Uh-huh.

15 MS. PARGEON: Yeah.

16 MS. LAND: Such structures may be enlarged  
17 or altered in a way which does not increase its  
18 nonconformity.

19 Does that say the same thing in two  
20 different ways?

21 MS. PARGEON: Yeah. I've got written in  
22 here that -- to keep and rewrite what was there.

23 MS. LAND: No such structure may be enlarged  
24 or altered in a way which increases its nonconformity.

1     However, such structure may be enlarged or altered in  
2     a way which does not increase its nonconformity.

3             CHAIRPERSON TIMMERMAN:    Seems like the same.

4             MS. LAND:    Says the same thing, doesn't it?  
5     Conformity.   The only -- now I'm thinking like a  
6     lawyer.   Somebody came along and said, It didn't say I  
7     could still -- I can enlarge it.   It just says it  
8     can't be enlarged in a different way.

9             CHAIRPERSON TIMMERMAN:    Right.   That's what  
10    it's doing.   Yeah.

11            SECRETARY STACY:   Is it better to state  
12    something in the positive rather than in the negative?

13            MS. LAND:    We can change it to say, Such  
14    structure may only be enlarged or altered in a way  
15    which does not increase its nonconformity.

16            SECRETARY STACY:   I would prefer that.

17            MS. LAND:    And, then, take out that first  
18    line?

19            SECRETARY STACY:   Yes.   Yes.   I don't like  
20    the way it currently is.   Make it as clear as  
21    possible.

22            MS. LAND:    Okay.

23            MR. CORDONNIER:   Is there any thought to  
24    letting nonconforming uses expand a little bit?   I'm

1 just -- I'm just --

2 SECRETARY STACY: Yeah. I'm --

3 MR. CORDONNIER: I'm just thinking, there's  
4 different things out there, and since we're kind of  
5 coming in a little late to the game, I would, you  
6 know --

7 MS. LAND: We're only a few years ago or so.

8 SECRETARY STACY: We're 50 or 60 years.  
9 Late to the game. Yeah.

10 MR. CORDONNIER: I would hate for someone  
11 to have a --

12 SECRETARY STACY: It's less restrictive to  
13 allow a little bit of growth.

14 MR. CORDONNIER: Yeah.

15 SECRETARY STACY: And I agree with you.  
16 So...

17 MR. EVANS: Back to my point. They were  
18 fine when they put it there.

19 SECRETARY STACY: Right. Correct.

20 MR. EVANS: It was okay to do it. And maybe  
21 they thought of expanding and, now, they're thinking,  
22 Oh, now I can't.

23 SECRETARY STACY: Right.

24 MS. PARGEON: Well, you were going to

1 rewrite that is what I had written. It said, Keep and  
2 rewrite, when we went over there the first time.

3 SECRETARY STACY: If we go down that road,  
4 then we need to decide what is that percentage? Like  
5 I said, I looked at a couple Resolutions. Two of them  
6 said zero; one said 20. You could make it 25, or I  
7 bet you could pick whatever number.

8 MR. EVANS: Yeah. As long as -- and, then,  
9 the setback and everything applies.

10 SECRETARY STACY: Yeah.

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: Because even if they expand their  
13 use, they still can't expand their -- they couldn't do  
14 something that made it a nonconforming structure then  
15 which would not apply to the setbacks.

16 MR. CORDONNIER: The only tough thing there  
17 is you have, let's say, an Industrial use with  
18 Agricultural setbacks, or an Industrial use with  
19 Residential setbacks. It's a little bit of a -- I've  
20 dealt with that before.

21 My thought was maybe, you know, come up with  
22 a percentage and just clearly state even, you know,  
23 subject to Planning Commission approval, I don't --  
24 your boards are named differently -- so that someone

1 could expand, which is kind of a concession to being a  
2 little more lenient, but the township does get a  
3 chance to review it.

4 MS. LAND: Almost like a case-by-case basis?  
5 I think we need to have a parameter that they are  
6 looking in.

7 MR. CORDONNIER: I think we would give them  
8 a percentage, but maybe expand it up to 25 percent  
9 subject to Planning Commission approval.

10 CHAIRPERSON TIMMERMAN: But isn't it subject  
11 to a case-by-case basis?

12 MR. CORDONNIER: No. There can be  
13 legitimate concerns. I mean, you know, you're 40 feet  
14 from that house, you know. We don't like -- you know,  
15 you're -- you know, you're a loud, noisy use.  
16 Expanding it in this confined area is not a good idea.  
17 There's also, you know --

18 MS. LAND: If you're sitting on 50 acres,  
19 you can expand and nobody is going to care.

20 MR. CORDONNIER: You know, if you can't see  
21 your next neighbor, I think you'll be all right. You  
22 know, those are just two -- just because -- I mean,  
23 you're giving the commission a little bit of leeway,  
24 but they have to use common sense. They can't just

1 be -- you know, they have to base it on health,  
2 welfare, safety, and all that.

3 CHAIRPERSON TIMMERMAN: I'm still waiting on  
4 that list of your, like, five questions whatever or  
5 nonconforming use.

6 MR. CORDONNIER: Okay.

7 CHAIRPERSON TIMMERMAN: I'd love to see  
8 that.

9 MS. LAND: I got -- I found some case law  
10 that sets out a really nice standard.

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. LAND: So I don't know if it's the same  
13 one you were talking about, but it was one I knew I  
14 could -- I knew I had seen it and I went and I refound  
15 it.

16 MR. CORDONNIER: An attorney gave it to me  
17 from case law, so I'm guessing it might be the same  
18 one.

19 MS. LAND: Might be the same one.

20 MR. CORDONNIER: Very similar.

21 MS. LAND: Some of those things are, I know  
22 I've seen it. I've got to go find it. That's the  
23 worst thing, by the way, once you know something's  
24 there, trying to find it. But I did find it the other



1 day. So I will -- I'll get -- I'll bring that next  
2 time.

3 CHAIRPERSON TIMMERMAN: Perfect.

4 SECRETARY STACY: I do think that we  
5 initially try to approach this whole process as being  
6 more less restrictive.

7 MS. PARGEON: Uh-huh.

8 CHAIRPERSON TIMMERMAN: Right.

9 SECRETARY STACY: Versus more restrictive.

10 So I like the idea of allowing a percentage  
11 for a nonconforming use. Just what makes the most  
12 sense.

13 CHAIRPERSON TIMMERMAN: Know what  
14 percentage?

15 MR. EVANS: Part of me thinks I should stay  
16 out because I might have a red dot on there, so  
17 it's -- you know, it doesn't matter to me really. I  
18 mean, I don't have any plans for expansion or  
19 anything. So...

20 CHAIRPERSON TIMMERMAN: What percentage  
21 sounds good then? It's one of those things. I mean,  
22 if you have, you know, a business that currently takes  
23 up 100 square feet, 20 percent, you didn't add  
24 anything in reality. You know what I mean?

1 MR. EVANS: Restrooms.

2 CHAIRPERSON TIMMERMAN: Right. Exactly.

3 MS. LAND: One shared one.

4 CHAIRPERSON TIMMERMAN: But if you own  
5 Whirlpool, or some huge business, 20 percent's all of  
6 a sudden a big deal.

7 So, now, I think the way we are going about  
8 zoning, I think most of the big businesses are already  
9 in the appropriate district. So I think -- I know we  
10 were looking at specifically there was two businesses  
11 right outside the Residential there. Some rubber  
12 company, whatever.

13 MS. LAND: The foam.

14 CHAIRPERSON TIMMERMAN: Foam. Whatever they  
15 were.

16 MR. EVANS: Benna.

17 CHAIRPERSON TIMMERMAN: Those are on small  
18 lots; therefore, 20 percent is not going to be huge at  
19 that point.

20 MR. CORDONNIER: I'll give you my 2 cents.  
21 I would say up to 50 percent. Most likely -- I mean,  
22 in my 20 years, I haven't had issue -- much issue  
23 where someone -- you know, if someone expanded an  
24 existing, it wasn't going to be much of an issue. You

1 know, it's already -- the nature of it is already  
2 there.

3 CHAIRPERSON TIMMERMAN: For sure.

4 MR. CORDONNIER: And making it a little more  
5 is generally -- most people don't even notice, but I  
6 think it would be valuable to the property owner.

7 MS. LAND: You made kind of a point there  
8 that made a light go off. Expand up to, say,  
9 50 percent, but not to go larger than what can fit on  
10 the existing lot. So you don't want to say, I'm going  
11 to expand 50 percent, so I'm going to buy another  
12 parcel to do it. Do you want to --

13 MR. CORDONNIER: I agree with that.

14 CHAIRPERSON TIMMERMAN: Yeah.

15 MS. LAND: That way we know the lot is the  
16 finite number.

17 SECRETARY STACY: Right.

18 MS. LAND: One of the townships says they  
19 can expand as much as they want, as long as they fit  
20 on that lot. But that's a --

21 CHAIRPERSON TIMMERMAN: Right.

22 MS. LAND: -- problem, if they're on a  
23 massive big parcel.

24 CHAIRPERSON TIMMERMAN: 50 percent does give

1 you a fair bit of growth.

2 SECRETARY STACY: Yes.

3 CHAIRPERSON TIMMERMAN: So...

4 MR. CORDONNIER: And it's a problem when  
5 it's -- if the setbacks were not meant for that use of  
6 the existing parcel what it's zoned. But...

7 CHAIRPERSON TIMMERMAN: Yeah.

8 MR. CORDONNIER: I'm not sure what the  
9 Agricultural setbacks are.

10 MS. LAND: 40, 30.

11 MR. CORDONNIER: Those are big setbacks. It  
12 is -- in the cases I've had, it's Industrial use with  
13 a Residential zoning and the side yard setback is  
14 3 feet.

15 CHAIRPERSON TIMMERMAN: Agricultural is  
16 like, 20, isn't it?

17 MR. EVANS: Yeah. 20. Front and rear are  
18 40, sides are 20 in Agricultural.

19 MR. CORDONNIER: And I think 50 percent,  
20 subject to approval. And that's where the subject to  
21 approval, you know, in my mind is the valuable  
22 catch-all. They can't say, It's Bob. I don't like  
23 you. But if they can provide good sound reasons,  
24 I think they can, you know --

1           SECRETARY STACY: As long as we're not being  
2 arbitrary, right?

3           MS. LAND: Arbitrary.

4           SECRETARY STACY: It's like walking that  
5 tightrope.

6           MS. LAND: It is a little. And sometimes  
7 arbitrary is in the eye of the beholder. You've got  
8 to be very careful.

9           SECRETARY STACY: I can see that. I can see  
10 that.

11           MS. LAND: That's why you'll get really  
12 tired of me saying, Paper trail. Paper trail. Paper  
13 trail. Make sure you have written down the reason for  
14 why you came to this.

15           MR. CORDONNIER: Yeah.

16           MS. LAND: They can then challenge maybe  
17 that your reasoning is skewed, but they can't say you  
18 did something just, you know, willy-nilly or  
19 arbitrarily that damaged somebody.

20           MR. EVANS: It would be nice if there was a  
21 checklist. Let's say some huge purple building wants  
22 to expand by 50 percent. We don't want more purple.  
23 Okay. That's probably not a --

24           MS. LAND: We can't say that.

1 MR. EVANS: That's what I'm saying. There  
2 ought to be a checklist.

3 MS. LAND: I think the variance standards  
4 kind of checklist is something that could be applied  
5 to this kind of thing also.

6 MR. CORDONNIER: If you read the Variance  
7 Standards or the Conditional Use Standards, I mean  
8 they all kind of --

9 CHAIRPERSON TIMMERMAN: Are they the same --

10 MS. LAND: They're very similar.

11 CHAIRPERSON TIMMERMAN: -- or very similar?

12 MS. LAND: They're very same already.

13 MR. CORDONNIER: They're very similar. But  
14 the whole -- it's -- to me, it's kind of the  
15 foundation of decision-making --

16 CHAIRPERSON TIMMERMAN: Right.

17 MR. CORDONNIER: -- for zoning.

18 MS. LAND: It all has -- most of them are  
19 based on the degree of impact that what they are  
20 talking about is going to have on neighboring  
21 districts or properties and whether it's going to  
22 affect health, safety. Those are the kind of  
23 buzzwords that are important. Those are what you're  
24 supposed to be considering. Not, you know, just that

1 they're, you know, not a good neighbor because they  
2 let weeds grow, you know. Fun to be around, you know,  
3 those kind of things.

4 MS. PARGEON: Poison ivy.

5 MS. LAND: We all have those.

6 SECRETARY STACY: Yeah. That makes sense to  
7 me.

8 MS. LAND: That list, when I give it to you  
9 next week we'll -- or on Thursday. Whatever.

10 CHAIRPERSON TIMMERMAN: I was going to say.  
11 I do the same thing all the time.

12 MS. LAND: Yeah. I'm working a week in a  
13 day these days. Next week could be tomorrow. But  
14 Thursday, I will definitely have that for you guys.

15 CHAIRPERSON TIMMERMAN: Perfect.

16 MS. LAND: I'd email it out, but I don't  
17 want to cause any issues.

18 SECRETARY STACY: No. We can't do that.  
19 We'll wait.

20 MS. LAND: Yeah. Can we take a quick break  
21 so I can run out and get my water? I'm about to die  
22 here.

23 CHAIRPERSON TIMMERMAN: Sure.

24 I'm going to pull the map up while

1 they're taking a quick break.

2 MS. LAND: Of course, I feel like the  
3 Tin Man trying to -- been sitting too long.

4 FROM THE FLOOR: Are you guys still working  
5 on the map, or did you finish --

6 CHAIRPERSON TIMMERMAN: We're still working  
7 on the whole thing. What have you got for me?

8 FROM THE FLOOR: No, I was just looking at  
9 whatever the colors were and all that stuff.

10 MS. PARGEON: Come on up.

11 FROM THE FLOOR: I got here late, so sorry  
12 about that.

13 CHAIRPERSON TIMMERMAN: Let's do this then.

14 Orange is R-1, so we kind of think  
15 subdivision, so the Hillcrest stuff that we already  
16 got and the neighborhood straight across the way. And  
17 we threw in kind of what would connect the village to  
18 that, just the future growth kind of thing.

19 Going down the line. Green is R-M, so  
20 Multi-Family, condos, stuff like that.

21 This section down here, somebody that  
22 Siferd --

23 FROM THE FLOOR: That's where Siferd's at.  
24 Yeah.



1 CHAIRPERSON TIMMERMAN: Siferd's. And  
2 apparently they've already got a sign up saying  
3 "Future Condos," or something. So it's like the  
4 prime -- they're already going to do it. Might as  
5 well make it that.

6 Brown is B-1. It's hidden behind this  
7 little Post-It here. That idea, I-75, we've already  
8 got, you know, Jeffrey's Antiques here. You've  
9 already got Business here, kind of letting it grow.  
10 And, then, kind of tapering off from B-2 down to B-1  
11 as you're getting to Residential is kind of why we put  
12 it there.

13 Blue is B-2, here. B-3 is purple. I got  
14 some hidden behind here and here. We kind of threw  
15 this area here. That's going to be more specifically  
16 gas stations is kind of why part of this -- Sheetz is  
17 going right here.

18 FROM THE FLOOR: Gotcha.

19 CHAIRPERSON TIMMERMAN: So -- so gray I-1,  
20 here and up here. And, then, this has got good access  
21 to -- 18 is right here, so they're on the Interstate,  
22 and there's really very few houses up in this area so  
23 it's not going to affect many residents.

24 I-2 is basically your landfill area.

1           And then yellow is Expressway Services;  
2 restaurants, hotels. If we ever get to that point,  
3 put them right next to that because we really don't  
4 have any land here that's that available to it.

5           FROM THE FLOOR: All right. Thanks.

6           CHAIRPERSON TIMMERMAN: Make enough sense?

7           FROM THE FLOOR: Whole rundown. That's  
8 perfect. Thanks.

9           CHAIRPERSON TIMMERMAN: Quick and dirty.  
10 Okay.

11          MS. PARGEON: Looks good.

12          MS. LAND: You guys put good thought into  
13 the way you were putting things.

14          MS. PARGEON: They did a good job.

15          CHAIRPERSON TIMMERMAN: I would throw out  
16 the potential to change a few little pieces in there.  
17 There's this one little dot right there (indicating)  
18 that technically is zoned Agricultural right now. The  
19 way we have it, I don't know --

20          MS. LAND: What's in there? What is that?

21          MR. EVANS: It's right beside Lowe's  
22 Distribution.

23          CHAIRPERSON TIMMERMAN: Yeah. There's a  
24 little pond in there and I don't know what's there.

1 It's kind of too small to be Industrial.

2 MR. CORDONNIER: Isn't it compressed natural  
3 gas there?

4 MR. EVANS: Well, it's across the road.  
5 It's on the same side of the road as Lowe's.

6 MR. CORDONNIER: Okay.

7 CHAIRPERSON TIMMERMAN: So I didn't know  
8 whether that should be zoned I-1 or maybe a B-3  
9 extension right there.

10 MR. EVANS: The Lowe's retaining wall  
11 (unintelligible) is right on one side of it.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MR. EVANS: And then the rest of it.

14 SECRETARY STACY: I think B-3 makes sense.

15 CHAIRPERSON TIMMERMAN: Pause while we're  
16 discussing that. Do we want to get quick votes on it?

17 Do we want it -- does B-3 make sense there?  
18 Or do we leave it Agricultural for any reason?

19 MR. EVANS: It's small enough to where it's  
20 not really good for Agricultural.

21 CHAIRPERSON TIMMERMAN: Exactly.

22 SECRETARY STACY: Right. Right. I would  
23 make it --

24 CHAIRPERSON TIMMERMAN: And it's not what

1 you would -- I mean, most of the I-1 properties are  
2 much larger.

3 SECRETARY STACY: Right. Yeah. I think B-3  
4 makes sense. What do you think?

5 MS. PARGEON: Yeah.

6 CHAIRPERSON TIMMERMAN: Go with B-3 on that?

7 MS. PARGEON: Go with B-3.

8 CHAIRPERSON TIMMERMAN: We chose this one  
9 parcel in there and made it B-3, and I don't know  
10 what's all in here, which I don't know what that  
11 property is versus -- you have the Dark Horse in here,  
12 Northwest Masonry. I don't know which one falls  
13 where. I feel like more of this should probably be  
14 B-3 at that point.

15 MR. EVANS: Is purple Northwestern Masonry?

16 CHAIRPERSON TIMMERMAN: I don't know what  
17 that piece is.

18 MR. EVANS: I don't think so because they  
19 have more frontage.

20 SECRETARY STACY: I think that's the field  
21 that goes back behind.

22 MR. EVANS: Behind. Yeah.

23 CHAIRPERSON TIMMERMAN: So is Northwest  
24 Masonry --

1 MR. EVANS: Which is a farm right now.

2 SECRETARY STACY: Probably right in there.

3 MR. CORDONNIER: I think that purple was  
4 Dr. Lai's property that continues. He owns quite a  
5 bit along the highway and I believe that's his that  
6 goes out there.

7 MR. EVANS: He probably owns I think behind  
8 that yellow tag right beside it.

9 MR. CORDONNIER: He does. Into the north.  
10 Yeah.

11 MS. LAND: Can you guys still see?

12 CHAIRPERSON TIMMERMAN: Yeah. That is  
13 Dr. Lai. That one is. This one here is the church.  
14 Shouldn't have pointed with my middle finger. This  
15 one here is the church. So this is Northwest Masonry  
16 here; is that fair? Is that -- Northwest Masonry is  
17 right next to the church, right?

18 MR. EVANS: Right.

19 MS. PARGEON: Yeah.

20 SECRETARY STACY: Yeah.

21 MR. CORDONNIER: I can't tell without my  
22 aerial.

23 MS. TUCKER: I can see it. Thank you.

24 CHAIRPERSON TIMMERMAN: And then the Dark

1 Horse is right here somewhere (indicating).

2 MS. PARGEON: They're on that block.

3 MR. EVANS: Yeah.

4 CHAIRPERSON TIMMERMAN: But I didn't know  
5 whether we wanted to make more of this. I mean,  
6 there's a couple houses in there, too, but you're not  
7 going to change --

8 MR. EVANS: (Unintelligible) houses.

9 CHAIRPERSON TIMMERMAN: Right. I didn't  
10 know whether you just make this whole section B-3.

11 SECRETARY STACY: I think there's logic to  
12 that. Obviously, the people that are in their homes  
13 right there, as long as they want to stay there and be  
14 in their homes, they have that --

15 CHAIRPERSON TIMMERMAN: For sure.

16 SECRETARY STACY: They're going to have that  
17 right.

18 CHAIRPERSON TIMMERMAN: Right.

19 SECRETARY STACY: But, at some point, if  
20 it's no longer a residence, I could easily see it  
21 flipping to maybe a B-3.

22 CHAIRPERSON TIMMERMAN: It's already fully  
23 developed.

24 SECRETARY STACY: It is.

1 CHAIRPERSON TIMMERMAN: It's not  
2 agricultural.

3 SECRETARY STACY: Correct.

4 CHAIRPERSON TIMMERMAN: I think if it would  
5 want to change to a -- not be residential use any more  
6 they could make it whatever. A business.

7 SECRETARY STACY: Yeah.

8 CHAIRPERSON TIMMERMAN: So I like keeping  
9 that whole section there. I don't know what all of  
10 this is actually Findlay, but that's where the new  
11 Raceway Gas Station.

12 SECRETARY STACY: Racetrack.

13 MS. PARGEON: Another gas station?

14 MS. LAND: Yeah. We need more.

15 SECRETARY STACY: We need more. Right.

16 MR. CORDONNIER: That's one of those things.  
17 They have the zoning, I mean --

18 CHAIRPERSON TIMMERMAN: You're tall.

19 (Laughter.)

20 MS. PARGEON: Yeah, he is, isn't he?

21 CHAIRPERSON TIMMERMAN: This is not fair.

22 MR. CORDONNIER: The gas station Sheetz is  
23 here (indicating).

24 CHAIRPERSON TIMMERMAN: I wanted to get

1 where I could see. Sorry.

2 MR. CORDONNIER: So Speedway Drive is being  
3 extended north, and, then, that's Sheetz. And, then,  
4 with that annexation, Dr. Lai wanted to be a part of  
5 it, and so Sheetz and Dr. Lai --

6 MS. LAND: Is that Sheetz or Racetrack?

7 MR. CORDONNIER: Racetrack. I'm sorry.

8 So Speedway Drive is going north. Dr. Lai  
9 wanted to be annexed also.

10 SECRETARY STACY: Right.

11 MR. CORDONNIER: He hopes that Speedway  
12 Drive is extended north so he can develop his  
13 property. Racetrack is here. And, then, so this was  
14 annexed.

15 CHAIRPERSON TIMMERMAN: Just that section?  
16 Not to the right of it?

17 MR. CORDONNIER: No, I don't believe this  
18 was.

19 MS. LAND: Do you have a marker or something  
20 that you can --

21 CHAIRPERSON TIMMERMAN: I got my pen on me.  
22 I covered the whole thing. I had full intentions of  
23 bringing my markers with me -- my daughter's markers.  
24 Let's clarify.



1 MS. PARGEON: You borrowed them.

2 MS. LAND: I have markers.

3 MR. CORDONNIER: I've got it marked on this  
4 one.

5 MS. LAND: I don't have any little kids at  
6 my house.

7 CHAIRPERSON TIMMERMAN: And Sheetz down here  
8 is Findlay.

9 MR. EVANS: These are big houses that are on  
10 that 100.

11 CHAIRPERSON TIMMERMAN: So we're thinking  
12 Findlay is really --

13 MS. LAND: Straight up there.

14 MR. CORDONNIER: Yeah. Just --

15 MS. LAND: Right there.

16 MR. EVANS: And you turn -- yeah. Right  
17 there.

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: So this is Findlay.  
20 And, then, this is where Sheetz is going out here.

21 MS. LAND: Is it that whole big section?

22 MR. CORDONNIER: Yeah.

23 CHAIRPERSON TIMMERMAN: This whole section.

24 MR. CORDONNIER: But not the two houses.

1 CHAIRPERSON TIMMERMAN: Right.

2 MR. EVANS: Oh, not the two houses.

3 SECRETARY STACY: Right.

4 FROM THE FLOOR: 3 acres.

5 MR. EVANS: I'm wondering if those two  
6 houses were still there.

7 CHAIRPERSON TIMMERMAN: We're going to do  
8 this. We're going to put this in B-3. This is going  
9 to be B-3.

10 Is there any sense in the church being B-3?  
11 Just stop it right in that section there.

12 MS. LAND: Yeah.

13 CHAIRPERSON TIMMERMAN: Okay. The rest of  
14 my Post-Its were future growth thought processes.

15 MS. LAND: Yeah.

16 CHAIRPERSON TIMMERMAN: Well, actually,  
17 that's not true. This I-1, some of it is upside down.  
18 (Unintelligible) both sides of the table.

19 If we made I-1 to the railroad tracks, does  
20 it make sense to go on the other side of the railroad  
21 track? Like, if this piece of property is valuable as  
22 I-1, why would this on the other side of the tracks  
23 not be valuable as I-1?

24 SECRETARY STACY: I think you could also --

1 CHAIRPERSON TIMMERMAN: You break it, you  
2 buy it.

3 SECRETARY STACY: -- go here.

4 CHAIRPERSON TIMMERMAN: You're saying over  
5 to the Interstate and that's where I was going with  
6 it.

7 MS. LAND: Do you want to look at that as  
8 Expressway Services. Isn't that an interchange right  
9 there?

10 CHAIRPERSON TIMMERMAN: The interchange is  
11 actually in --

12 MR. EVANS: It's farther north.

13 CHAIRPERSON TIMMERMAN: It's in the next  
14 county.

15 MR. EVANS: Yeah.

16 MS. LAND: Yeah. Then definitely.

17 MR. EVANS: The only thing I think, you see  
18 all those houses right there. I hate to have  
19 Residential right beside I-1.

20 CHAIRPERSON TIMMERMAN: I know.

21 SECRETARY STACY: Again --

22 MR. EVANS: That's why I kind of thought  
23 stopping where we did seemed good. But...

24 CHAIRPERSON TIMMERMAN: If somebody wants

1 it, they can always put in for a zoning change, as  
2 you --

3 MR. CORDONNIER: I don't -- I don't like  
4 zoning for future speculation. Never been a fan of  
5 that. Meaning, that's all agricultural land.

6 CHAIRPERSON TIMMERMAN: Uh-huh.

7 MR. CORDONNIER: I would say zone it  
8 agricultural. And, then, if someone wants it, then,  
9 they can come in and go through the process.

10 MS. LAND: And make it all Future Use Map?

11 MR. CORDONNIER: Yeah.

12 MS. LAND: Agricultural -- or I mean  
13 Industrial.

14 CHAIRPERSON TIMMERMAN: I don't like it  
15 because, I mean, at that point in time, the only thing  
16 that would be I-1 would be what's currently being used  
17 as I-1. Is that a fair statement?

18 You would -- because --

19 MR. CORDONNIER: Yeah. I mean, so what --  
20 where did we land with the kind of the Land Use Plan  
21 for the basis of the zoning map?

22 MS. LAND: They haven't done it yet.

23 MR. CORDONNIER: Okay.

24 MS. LAND: They want to use what they are

1 putting on for the zoning map and then the Land Use  
2 Plan, grow from there where they see future growth  
3 where they think things will go.

4 MR. CORDONNIER: Okay.

5 MS. LAND: That's why they want that other  
6 blank map.

7 MR. CORDONNIER: The blank map.

8 MS. LAND: Yeah. A blank map so they can --

9 MR. CORDONNIER: So I would -- I'm more --  
10 I mean, especially there, I can see it a little more  
11 on the south part where --

12 MS. LAND: See, that's where they don't want  
13 it to be.

14 CHAIRPERSON TIMMERMAN: Sure. The City of  
15 Findlay seems to annex --

16 MS. LAND: They want to give targets  
17 elsewhere.

18 CHAIRPERSON TIMMERMAN: -- anything if we --

19 MS. LAND: They're being gobbled up from the  
20 bottom. They don't want that to happen.

21 CHAIRPERSON TIMMERMAN: So if we give them a  
22 spot to go up out of the way.

23 MS. LAND: Which is actually quite a good  
24 spot. I mean, it's got access to water and sewer.

1 It's got access to rail and two major highways right  
2 up to 75.

3 CHAIRPERSON TIMMERMAN: I would push to keep  
4 it.

5 MS. LAND: It's a good spot.

6 CHAIRPERSON TIMMERMAN: I think --

7 MS. LAND: Because the City is still -- as  
8 long as they're still pushing their hard water policy,  
9 everything that they want to develop down at the  
10 bottom is going to get gobbled away from Allen  
11 Township.

12 If you do that parcel up there, I think then  
13 your trustees need to contact Economic Development and  
14 tell them, We've got a parcel up here that you guys  
15 can be looking at, start talking to people. And,  
16 then, they at least know that it's there. If they  
17 don't market it, nobody will ever know it's there.  
18 Which is fine. But, instead, they're going to keep  
19 marketing stuff down here and try to bully zoning  
20 changes and annexations.

21 MS. PARGEON: And the school loses money.

22 MS. LAND: Schools don't lose any money.

23 MS. PARGEON: They don't lose any money.

24 Okay.

1 MS. LAND: Just the township.

2 MS. PARGEON: Just the township.

3 CHAIRPERSON TIMMERMAN: So I don't know. If  
4 you -- again, I could see an argument to include  
5 these. I can see Dave's argument that you're dealing  
6 with residential right across the road, but you're  
7 dealing with it here as well. So I'm good either way.  
8 I mean --

9 MS. LAND: What is that road at the bottom  
10 of it?

11 CHAIRPERSON TIMMERMAN: 114.

12 MS. LAND: Okay. What's on the -- up above  
13 it?

14 CHAIRPERSON TIMMERMAN: Up here?

15 MS. LAND: Yeah.

16 CHAIRPERSON TIMMERMAN: It's not listed.

17 MS. LAND: It's not a road? It's just the  
18 township line?

19 CHAIRPERSON TIMMERMAN: It might not be a  
20 road. I think it's the township line.

21 SECRETARY STACY: Yeah. You're into Wood  
22 County north of that.

23 MS. LAND: Okay.

24 SECRETARY STACY: And 18 is --

1 CHAIRPERSON TIMMERMAN: About here. I think  
2 these are the ramps for 18.

3 SECRETARY STACY: Yeah.

4 CHAIRPERSON TIMMERMAN: So...

5 MS. LAND: I guess what I'm getting at is  
6 anything in that Industrial area, would they use --  
7 they would have to use 114 as probably their access  
8 points --

9 CHAIRPERSON TIMMERMAN: Probably.

10 MS. LAND: -- to be able to get over to --  
11 okay. So that would impact those houses there. If  
12 they had access on the other side, then chances are  
13 good they wouldn't go down there and loop down and  
14 come back up.

15 CHAIRPERSON TIMMERMAN: If you wanted to --  
16 yeah. I mean, if you didn't have this I-1, it might  
17 encourage them to go further down before coming down.  
18 So...

19 SECRETARY STACY: And I will say, it is Ag  
20 north of that.

21 CHAIRPERSON TIMMERMAN: Here (indicating).

22 MS. LAND: In Wood County.

23 SECRETARY STACY: Well, yeah.

24 MS. LAND: Where is CSX? Is their big deal



1 over this way?

2 SECRETARY STACY: It's west of North  
3 Baltimore.

4 MR. CORDONNIER: Where would the water be  
5 coming from?

6 MS. LAND: Van Buren.

7 CHAIRPERSON TIMMERMAN: That's right here.  
8 City sewer and water in here. There's already City  
9 sewer and water in here.

10 I haven't heard anybody push hard for what I  
11 threw out there as an option. So...

12 MR. EVANS: What's that?

13 CHAIRPERSON TIMMERMAN: Those last two --  
14 those last two parcels towards the Interstate. I can  
15 take it or leave it. It was just a thought process I  
16 wanted to present.

17 FROM THE FLOOR: How about that section  
18 where Jeffrey's is at? Could that be the same deal?  
19 You say you'd like to keep the Industrial by  
20 Interstate.

21 CHAIRPERSON TIMMERMAN: So Jeffrey's is  
22 here. What are you asking?

23 FROM THE FLOOR: Up above that.

24 CHAIRPERSON TIMMERMAN: Here?

1 FROM THE FLOOR: Yeah. Couldn't that be all  
2 the same as what you have up at the top, Industrial?  
3 Because you already have --

4 MS. LAND: I think you really want to keep  
5 that --

6 MR. CORDONNIER: It's in pretty close  
7 proximity to --

8 CHAIRPERSON TIMMERMAN: Findlay.

9 MR. CORDONNIER: -- it's residential.

10 MS. LAND: I would keep that Agricultural  
11 there.

12 FROM THE FLOOR: Okay. I think it's a good  
13 spot up there. It's close to the inter -- you know,  
14 the exchange up there off of 75. It's open space.  
15 There's not homes.

16 CHAIRPERSON TIMMERMAN: Yeah. There's,  
17 like, no homes over here. The reason I don't want to  
18 put industry right next to what's going on here  
19 either. But...

20 MS. LAND: And you can zone that I-1 and it  
21 has no effect on it being Agricultural.

22 CHAIRPERSON TIMMERMAN: Absolutely. It can  
23 stay farms for as long as they want.

24 MS. LAND: Forever if they want to.

1 FROM THE FLOOR: That's true. Look at 212.  
2 They put in that 212 little curb road there behind  
3 Lowe's. They could do the same thing up there.

4 SECRETARY STACY: They could.

5 CHAIRPERSON TIMMERMAN: Yeah.

6 SECRETARY STACY: They could.

7 FROM THE FLOOR: I think it's a good idea.

8 CHAIRPERSON TIMMERMAN: It's out of the way.  
9 Gives them a place.

10 What if you -- what if you split --  
11 actually, this is two parcels. But what if you did,  
12 like, these two, just to keep a barrier from the  
13 houses.

14 FROM THE FLOOR: Take them out? Take some  
15 of that out?

16 CHAIRPERSON TIMMERMAN: Take this -- just,  
17 like, this section here out could be an option, too,  
18 if we wanted to keep it away from houses.

19 MR. EVANS: What I'm thinking, are we trying  
20 to be less restrictive? Because I'm thinking -- let  
21 me see. I can see about 20 people there that are  
22 going to say, if I saw that map, it's like --

23 CHAIRPERSON TIMMERMAN: You're saying these  
24 houses here -- people?

1 MR. EVANS: If you live there, like, you  
2 say --

3 CHAIRPERSON TIMMERMAN: That's the downside.  
4 We've never been zoned, so we have houses everywhere.  
5 There's never been a plan. Like it's -- somebody's --  
6 somebody's going to be offended by something that  
7 you're going to do.

8 MR. EVANS: Right. I guess I was kind of  
9 looking at --

10 MS. LAND: What you're doing is on paper.  
11 It's not somebody building something there right now.

12 MR. EVANS: It's just -- I'm thinking, let  
13 me see if that's the only non-used I-1, then, that's  
14 next to be used, and I live in one of those.

15 CHAIRPERSON TIMMERMAN: Do you like the idea  
16 of getting rid of this parcel here just so it's not  
17 directly across the road? You at least have a field.

18 MR. EVANS: I mean, I'm just -- I'm just  
19 trying to think. We want to make it less restrictive.

20 SECRETARY STACY: Could you make it B-3?  
21 Would you want to make this B-3 instead of I-1?

22 MR. EVANS: Well, the only access it has, it  
23 doesn't even have 220 access.

24 SECRETARY STACY: No.

1 MR. EVANS: So the only road it has is 114.

2 SECRETARY STACY: Right.

3 FROM THE FLOOR: It is very close. 220 --  
4 it's pretty close to 220. You know, you could put an  
5 access road, and that's 212 right there. That's huge.  
6 You know, kind of comparable. It's very close to the  
7 Interstate exchange --

8 CHAIRPERSON TIMMERMAN: Uh-huh.

9 FROM THE FLOOR: -- exit.

10 CHAIRPERSON TIMMERMAN: But somebody's got  
11 to put a road in still.

12 FROM THE FLOOR: True.

13 CHAIRPERSON TIMMERMAN: Who is that on?

14 MS. LAND: County or the Township.

15 MR. CORDONNIER: Developer.

16 MS. LAND: Well, the developer could do it.  
17 Yeah.

18 MR. EVANS: I mean, do we have to go across  
19 the railroad tracks? I don't know what that's like,  
20 if that's a big deal. Is that a big deal?

21 MR. CORDONNIER: Railroads are -- railroads  
22 have millions of neighbors and so they talk to none of  
23 them.

24 MS. LAND: Right. They do things like not

1 pay their taxes.

2 MR. CORDONNIER: And they're a utility, and  
3 they're just -- it's -- railroads are tough. I mean,  
4 they --

5 MS. LAND: They had a strong -- they had a  
6 strong lobby back in the 1880s, and they haven't  
7 stopped.

8 MR. CORDONNIER: They kept rolling. So...

9 FROM THE FLOOR: Just north of that I-1  
10 place that you have up there, there's a big ODOT,  
11 I think, operation just north of that.

12 CHAIRPERSON TIMMERMAN: In Wood County?

13 FROM THE FLOOR: Uh-huh. I think so.

14 MR. EVANS: It's, like, a garage, isn't it?

15 SECRETARY STACY: Yeah.

16 FROM THE FLOOR: Yeah. It's -- they tension  
17 structures and stuff like that.

18 FROM THE FLOOR: Across from the old propane  
19 place.

20 FROM THE FLOOR: Yeah. There's a propane  
21 place up there. That's just over the line.

22 CHAIRPERSON TIMMERMAN: So...

23 MS. LAND: So Industrial makes good sense  
24 there.

1 CHAIRPERSON TIMMERMAN: Uh-huh.

2 MS. LAND: Now, the question is, do you want  
3 to make it -- the parts that aren't vertical, or do  
4 you want to make it a horizontal cut and do it the  
5 other way? Or leave it as is?

6 CHAIRPERSON TIMMERMAN: I mean, initially, I  
7 proposed this section here because it would not --  
8 there's only, like, a parcel here, a house here, and a  
9 house here. This is ODNR. There is a house tucked in  
10 there (indicating). But...

11 MS. LAND: It's surrounded by ODNR. It's  
12 pretty well insulated.

13 CHAIRPERSON TIMMERMAN: Right. So it's  
14 insulated. So I proposed this because it would affect  
15 so few houses. Going this way, you do affect houses,  
16 so I guess my gut would say why don't you utilize the  
17 train, and put one here and one here, and maybe we cut  
18 it off. But if anybody else says -- go all of those?

19 MS. LAND: That gives some insulation to  
20 those houses before it gets to the part that is --

21 CHAIRPERSON TIMMERMAN: I like it.

22 MS. LAND: -- zoned for Industrial.

23 MR. EVANS: Yeah. I would go for that more.

24 CHAIRPERSON TIMMERMAN: So we'll cancel this

1 one out.

2 MR. EVANS: Yeah. Go up halfway.

3 CHAIRPERSON TIMMERMAN: Well, there's  
4 already a property line right here.

5 FROM THE FLOOR: You have some businesses in  
6 there already.

7 CHAIRPERSON TIMMERMAN: On this side?

8 FROM THE FLOOR: Yeah. You're putting a --  
9 isn't there a cement place?

10 CHAIRPERSON TIMMERMAN: Yeah.

11 FROM THE FLOOR: Which is kind of  
12 industrial.

13 SECRETARY STACY: Yes.

14 MR. EVANS: It's actually across from some  
15 of the houses.

16 SECRETARY STACY: Yeah.

17 MR. EVANS: Is it still operating?

18 CHAIRPERSON TIMMERMAN: Somebody suggested  
19 last time that maybe it wasn't. I don't remember who  
20 said that. But...

21 FROM THE FLOOR: Kind of an interesting  
22 concept, as Deb pointed out, to make that B-3, which  
23 kind of feathers it in, kind of like what you did down  
24 there near Hillcrest area.



1 CHAIRPERSON TIMMERMAN: So is everybody  
2 agreeing on I-1 in this piece here? Like, if we cut  
3 this in half.

4 MR. EVANS: Sure.

5 MS. PARGEON: Yeah. Go ahead and do it that  
6 way.

7 CHAIRPERSON TIMMERMAN: And, then, do we  
8 want to change this one to a B-3 to Deb's idea of  
9 starting to feather --

10 MR. EVANS: Towards the Residential.

11 CHAIRPERSON TIMMERMAN: Or do you think go  
12 smaller than B-3 and make it a B-2?

13 MR. EVANS: Well, do you want on the other  
14 side of the railroad tracks? Because, really, their  
15 only access, unless a road's put in, is 114.

16 CHAIRPERSON TIMMERMAN: To get where? Here?

17 MR. EVANS: There. Yeah.

18 CHAIRPERSON TIMMERMAN: So they're going to  
19 come down here and come here (indicating).

20 SECRETARY STACY: Right.

21 MR. EVANS: Right. So should you make --

22 CHAIRPERSON TIMMERMAN: Technically, you  
23 could come down road this road, too. I don't know if  
24 these roads -- 281 comes down.

1 SECRETARY STACY: Yeah. Yeah.

2 CHAIRPERSON TIMMERMAN: So...

3 MR. EVANS: Must dead end right there.

4 That's --

5 SECRETARY STACY: It's very narrow. Very  
6 narrow road.

7 CHAIRPERSON TIMMERMAN: I'm sitting down.  
8 You scare me.

9 MR. CORDONNIER: I'm just trying to -- where  
10 is -- is 18 up here (indicating)?

11 SECRETARY STACY: Yes. Yes.

12 CHAIRPERSON TIMMERMAN: These are the on and  
13 off ramps right here.

14 SECRETARY STACY: Right.

15 MR. CORDONNIER: So this is 114?

16 CHAIRPERSON TIMMERMAN: Right.

17 MR. CORDONNIER: Okay. So there's a road  
18 in -- there is no -- I'm just trying to -- there's --  
19 okay.

20 So that's that. So we are south. So  
21 there's a road in here that I'm not -- where's road?

22 SECRETARY STACY: There is no road.

23 MR. CORDONNIER: Okay.

24 SECRETARY STACY: 18. This is Wood County.

1 This is Wood County, and so 18 would be --

2 MR. CORDONNIER: Gotcha.

3 FROM THE FLOOR: Hey, John. Look on the map  
4 right there where the big white number "6" is. That's  
5 where you're talking, right?

6 MS. LAND: Yeah. That's 114.

7 CHAIRPERSON TIMMERMAN: We're talking the  
8 properties just above it. Yeah. This is 281 which is  
9 there.

10 MR. EVANS: So I would say, if you did  
11 anything, go on the lower ones just north of 114 and  
12 make both of those B-3 and both of them a higher I-1.

13 CHAIRPERSON TIMMERMAN: I'm okay with that.

14 MS. LAND: What about that little --

15 CHAIRPERSON TIMMERMAN: Triangle piece?

16 MS. LAND: -- triangle? Yeah.

17 CHAIRPERSON TIMMERMAN: Go B-3 there, then,  
18 also?

19 MR. EVANS: Yeah. I'm trying to think if --  
20 is anything in there? It doesn't look like it. Yeah.  
21 It looks like there's a house.

22 CHAIRPERSON TIMMERMAN: Is that trail --  
23 where's the trailer sale place at? Or not trailer.  
24 The building sales.

1 MR. EVANS: Storage units.

2 MS. LAND: It's got a yellow mark on this  
3 map. It's right under the 114 number.

4 MR. EVANS: Oh, yeah. Right there.

5 CHAIRPERSON TIMMERMAN: What's that?

6 MR. EVANS: There's a yellow little  
7 rectangle right there.

8 CHAIRPERSON TIMMERMAN: That's the --

9 MR. EVANS: Where's the storage units?  
10 That's the concrete plant. Is the storage units north  
11 of that or south of that?

12 CHAIRPERSON TIMMERMAN: I don't recall.

13 MS. LAND: Are they that red stripe?

14 MR. EVANS: I think that's the concrete  
15 plant.

16 CHAIRPERSON TIMMERMAN: B-3.

17 SECRETARY STACY: That works for me.

18 CHAIRPERSON TIMMERMAN: Dave. B-3 for these  
19 two?

20 MR. EVANS: Yeah.

21 CHAIRPERSON TIMMERMAN: Clara?

22 MS. PARGEON: Yes.

23 MS. LAND: And the triangle?

24 CHAIRPERSON TIMMERMAN: Triangle now.

1 MR. EVANS: B-3.

2 MS. PARGEON: Yeah. Put it in there.

3 CHAIRPERSON TIMMERMAN: Okay.

4 MS. LAND: It wouldn't be a very desirable  
5 ag piece, that one little chunk up there.

6 MS. PARGEON: Somebody will stick a gas  
7 station.

8 MS. LAND: Not another one.

9 MS. PARGEON: They're all over.

10 CHAIRPERSON TIMMERMAN: Okay. That's  
11 everything I had for the map for tonight. Well, until  
12 we start doing the Future Use.

13 Any idea when we can get more maps? We just  
14 made this one bad since I --

15 MR. CORDONNIER: I can bring several. I'll  
16 bring four or five.

17 MS. LAND: Okay.

18 CHAIRPERSON TIMMERMAN: That would be  
19 awesome.

20 MS. LAND: Do you want one before that to be  
21 able to have a home coloring project?

22 CHAIRPERSON TIMMERMAN: You know what? I  
23 might as well.

24 MS. LAND: Can he stop up to your office and

1 get one?

2 CHAIRPERSON TIMMERMAN: Where is your  
3 office?

4 MR. CORDONNIER: Third floor of the  
5 municipal building, Room 304. At the jail. Police  
6 department. Not the jail. Sorry. The police  
7 department.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MR. CORDONNIER: Cell 4. They let me out to  
10 come here.

11 MS. PARGEON: Let him out once in a while.

12 MS. LAND: Something about those doors and  
13 the --

14 CHAIRPERSON TIMMERMAN: So third floor.

15 MR. CORDONNIER: Yeah.

16 MS. LAND: Muni building.

17 MR. CORDONNIER: Yeah. The muni building is  
18 right behind the courthouse.

19 MR. EVANS: Mayor's office is there.

20 CHAIRPERSON TIMMERMAN: What's that?

21 MR. EVANS: The mayor's office and all  
22 that's there.

23 MS. LAND: It's got a very big Findlay logo  
24 on it. It's easy to see.

1 MR. CORDONNIER: 318 Dorney Plaza.

2 CHAIRPERSON TIMMERMAN: 318, what is it?

3 MS. LAND: Dorney Plaza.

4 MR. CORDONNIER: D-O-R-N-E-Y.

5 MS. PARGEON: Person's name.

6 MR. EVANS: Park on Crawford or you can

7 park --

8 CHAIRPERSON TIMMERMAN: What's that?

9 MR. EVANS: Park on Crawford or you can park  
10 right behind the courthouse if there's spots.

11 CHAIRPERSON TIMMERMAN: And when I go up to  
12 the third floor is it easy to find?

13 MR. CORDONNIER: Room 304. It's  
14 Engineering, Regional Planning and Zoning.

15 CHAIRPERSON TIMMERMAN: 304. Okay.

16 MR. CORDONNIER: And my goal is to print  
17 them out in the morning and just set them at the front  
18 counter.

19 CHAIRPERSON TIMMERMAN: Okay. How late are  
20 they open in there to get them?

21 MR. CORDONNIER: We're open 8:00 to 5:00.

22 MS. LAND: Is Denise coming to the meeting  
23 tomorrow morning?

24 CHAIRPERSON TIMMERMAN: I don't know that

1 answer.

2 MS. LAND: If she is she could zip over and  
3 get them because it's a block away.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MR. CORDONNIER: Yeah.

6 CHAIRPERSON TIMMERMAN: Okay.

7 MS. LAND: Or I could even have one of my  
8 secretaries run down and grab them, bring them back to  
9 our building so she could get them there so she  
10 doesn't have to run around.

11 Would you have them printed out before 9:30?

12 MR. CORDONNIER: I think I can have them.

13 MS. LAND: Okay.

14 MR. CORDONNIER: I've got a meeting at 9:00,  
15 but I think I'll have time to --

16 MS. LAND: I'll send somebody over to grab  
17 them. They'll be in our building then, so...

18 CHAIRPERSON TIMMERMAN: Here we go again.  
19 Where's your office?

20 MS. LAND: Where the Commissioners are.

21 CHAIRPERSON TIMMERMAN: In the Commission --

22 MS. LAND: Same building as the  
23 Commissioners.

24 CHAIRPERSON TIMMERMAN: Another building?



1 MS. LAND: Across the hallway. Second  
2 floor. It's 514 South Main. Cafe Marie Scrambler's  
3 is on the first floor. We're right above that.

4 CHAIRPERSON TIMMERMAN: Floor two.

5 MS. LAND: Literally, right above that.  
6 Every now and then you get a puff of bacon smell in  
7 our office. You can tell when their exhaust fans are  
8 backing up.

9 CHAIRPERSON TIMMERMAN: How late are you  
10 guys in your office to swing through there?

11 MS. LAND: We're there until 4:30.

12 CHAIRPERSON TIMMERMAN: Till 4:30. Okay.  
13 I'll make an effort to be there tomorrow, but no  
14 promises.

15 MS. LAND: If she gets there, I'll have them  
16 for her when she comes to the meeting. If not --

17 CHAIRPERSON TIMMERMAN: If not, they'll be  
18 there.

19 MS. LAND: They'll be there whenever she  
20 wants to pop in. I'll leave them at the front in our  
21 office.

22 CHAIRPERSON TIMMERMAN: Is there a room  
23 number or is it obvious when you go?

24 MS. LAND: It's pretty obvious because

1 there's a big symbol on the door, "Prosecutor."

2 MR. CORDONNIER: I'll print them out and  
3 I'll have someone run them down.

4 MS. LAND: I can have Hannah come get them.  
5 She really likes to run around.

6 MR. CORDONNIER: I've been busy.

7 MS. PARGEON: Little runaround.

8 MS. LAND: Send your intern.

9 MR. CORDONNIER: He's like, What's next?  
10 I'm like, Just relax.

11 MS. LAND: That's kind of like Hannah. Get  
12 these admins that are 21. Like, What's next? What do  
13 we do now? Just --

14 CHAIRPERSON TIMMERMAN: Pause.

15 MR. CORDONNIER: Breathe deep.

16 MS. LAND: -- pause. Take a breath. She's  
17 going to be gone though coming this weekend because  
18 she's in the Miss Ohio USA pageant. So I'm rooting  
19 for her.

20 MR. EVANS: Good for her.

21 MR. CORDONNIER: Well, I'm going to see if I  
22 can catch the last couple innings at The Cube. At  
23 7:30 they're playing.

24 CHAIRPERSON TIMMERMAN: Okay.

1 SECRETARY STACY: And you're going to get us  
2 that signage portion.

3 MR. CORDONNIER: Yes.

4 MS. LAND: Do you want me to send you the --  
5 I didn't send it to him. I realized today.

6 SECRETARY STACY: Okay. Thank you.

7 CHAIRPERSON TIMMERMAN: Okay.

8 MR. CORDONNIER: See you all Thursday.

9 CHAIRPERSON TIMMERMAN: What's realistic on  
10 getting the signage stuff?

11 MR. CORDONNIER: I'm hoping to have it  
12 Thursday. A few -- a few atom bombs have popped up.

13 MS. LAND: Me, too. That's why you don't  
14 have the entire thing.

15 CHAIRPERSON TIMMERMAN: No, that's fine. We  
16 got --

17 MR. CORDONNIER: My goal is Thursday.

18 CHAIRPERSON TIMMERMAN: Yeah. Okay.

19 MS. LAND: My goal Thursday is to have the  
20 rest of all of this in draft form to be able to  
21 complete.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: If you guys want to read through  
24 the part that I gave you by the next time, then, we

1 can talk about anything -- make sure --

2 CHAIRPERSON TIMMERMAN: I think that's the  
3 best strategy.

4 Thanks, Matt.

5 MR. CORDONNIER: See you Thursday.

6 MS. LAND: -- that I interpreted everything  
7 that you guys have discussed. Because notes sometimes  
8 are cryptic, and I wrote some things here and some  
9 things there. I think I got them all, but just in  
10 case.

11 CHAIRPERSON TIMMERMAN: Yeah. It is 7:06  
12 right now. Is this where we're ending?

13 MS. LAND: If you want.

14 CHAIRPERSON TIMMERMAN: Do you have anything  
15 on the legal realm that we want to discuss?

16 MS. LAND: Yes. If we could have an  
17 Executive Session to discuss some pending litigation  
18 for just five minutes, that would be great.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MS. LAND: Could be more than five. I'm  
21 just saying five.

22 CHAIRPERSON TIMMERMAN: Right. Sure.

23 MR. EVANS: Will we be adjourning, though?

24 CHAIRPERSON TIMMERMAN: I would assume.

1           You know what? Do we want to open the floor  
2 to questions and comments real quick? I feel like  
3 it's been open for the majority of the meeting.

4           MS. LAND: Very interactive meeting.

5           CHAIRPERSON TIMMERMAN: Nothing additional?

6           FROM THE FLOOR: No.

7           CHAIRPERSON TIMMERMAN: Okay. Then --

8           FROM THE FLOOR: Appreciate it.

9           CHAIRPERSON TIMMERMAN: Yeah. I move to go  
10 to Executive Session.

11          MS. LAND: To discuss --

12          CHAIRPERSON TIMMERMAN: To discuss legal --

13          MS. LAND: Pending litigation.

14          CHAIRPERSON TIMMERMAN: -- pending  
15 litigation.

16          MR. EVANS: I second that.

17          CHAIRPERSON TIMMERMAN: We've got to do  
18 that --

19          MS. LAND: At 7:07 p.m.

20          SECRETARY STACY: 7:07. And then we have  
21 to --

22          CHAIRPERSON TIMMERMAN: Roll call vote.

23          SECRETARY STACY: Yeah. Got to do roll call  
24 vote.

1 CHAIRPERSON TIMMERMAN: Clara Pargeon, you  
2 say yes to --

3 MS. PARGEON: Yes.

4 SECRETARY STACY: Okay.

5 MR. EVANS: Yes.

6 CHAIRPERSON TIMMERMAN: Dave says yes. Deb  
7 says yes?

8 SECRETARY STACY: Yes.

9 CHAIRPERSON TIMMERMAN: And John says yes.

10 SECRETARY STACY: Yeah. Okay. And everyone  
11 in agreement say "Yes."

12 (Vote taken.)

13 SECRETARY STACY: Motion passed.

14 CHAIRPERSON TIMMERMAN: According to Cindy,  
15 we'll be back in five minutes. Hold your breath.

16 - - -

17 And, thereupon, an Executive Session was  
18 held.

19 - - -

20 SECRETARY STACY: Can I have motion to leave  
21 Executive Session and return to regular session?

22 MR. SCOTT: I make a motion we leave  
23 Executive Session.

24 SECRETARY STACY: Thank you.

1 May I have a second to that?

2 MR. EVANS: I'll second that.

3 SECRETARY STACY: Dave seconded it.

4 And everyone in agreement with that, say,  
5 "Yes."

6 (Vote taken.)

7 SECRETARY STACY: All right. Motion passed.  
8 I have 7:29.

9 CHAIRPERSON TIMMERMAN: Did she say, "Exit  
10 Executive Session with no action taken"?

11 SECRETARY STACY: With -- yeah. I'll word  
12 it the same as I -- "with no action taken." Yeah.  
13 I've learned a few years -- few things in doing some  
14 things before.

15 CHAIRPERSON TIMMERMAN: I'm going to take  
16 the maps home again, so I have it to recolor.

17 SECRETARY STACY: Yeah.

18 CHAIRPERSON TIMMERMAN: Do we want to  
19 discuss -- well, we need to sit down with the Future.  
20 I was going to say, do we want to discuss that at all,  
21 but that's going to be probably a longer -- not super  
22 long session, but we're already at 7:30.

23 SECRETARY STACY: Right. So for Thursday,  
24 discuss Future --

1 CHAIRPERSON TIMMERMAN: Well, I think we can  
2 or -- and/or just dive right into the book Thursday.

3 SECRETARY STACY: Okay.

4 MR. EVANS: Seems like the Future we ought  
5 to do last, because if we don't have time for it, it's  
6 not a big deal, right?

7 CHAIRPERSON TIMMERMAN: You --

8 MR. EVANS: Just from what Matt was saying.

9 MS. LAND: Yeah. It's something that,  
10 actually, when you vote on the map and the book, you  
11 don't vote on that Future Map. That's just --

12 CHAIRPERSON TIMMERMAN: Is that something  
13 you could do after -- if after zoning passed?

14 MS. LAND: You could. It's probably a good  
15 idea to have the bones of it. The pretty --

16 CHAIRPERSON TIMMERMAN: For sure. For sure.  
17 I was just saying if something got pushed off, that  
18 would be it.

19 MS. LAND: It can be changed and altered  
20 without going through an amendment process because  
21 it's not part of the actual plans.

22 SECRETARY STACY: True.

23 MS. LAND: So it's lower on your priority  
24 list. Yeah.



1 CHAIRPERSON TIMMERMAN: Okay. So we will --  
2 I'll update the map then, and we can look at it just  
3 to make sure everybody approves it at that point, but  
4 that could be the end of the map portion.

5 MS. LAND: I'm really happy with what you're  
6 doing.

7 MS. PARGEON: Yeah. You did a good job.  
8 Very good job.

9 CHAIRPERSON TIMMERMAN: Coloring it?  
10 Thanks.

11 MS. PARGEON: Not just coloring. I mean  
12 marking it for where you're putting stuff.

13 MS. LAND: Yeah.

14 CHAIRPERSON TIMMERMAN: The coloring is  
15 pretty bad. Hey, it was preliminary. I knew it was  
16 going to be preliminary. How about that?

17 SECRETARY STACY: There you go.

18 CHAIRPERSON TIMMERMAN: I'll get my  
19 4-year-old out to do it.

20 MS. PARGEON: Yeah. Oh, she did it.

21 FROM THE FLOOR: It was a good thing Molly  
22 helped you with that.

23 CHAIRPERSON TIMMERMAN: Yeah. It was all  
24 Molly. She's good at staying in the lines.





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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, May 23, 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

16                           - - -

17

18

19

20

21

22                           ANDERSON REPORTING SERVICES, INC.

23                           3040 Riverside Drive, Suite 125

24                           Columbus, Ohio 43221

                         (614) 326-0177

1 APPEARANCES:

2 CINDY LAND, Attorney at Law  
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9 On behalf of the Allen Township  
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson  
13 Deb Stacy, Secretary  
14 Dave Evans  
15 Clara Pargeon  
16 Matthew Cordonnier, Planning Director, Hancock  
17 Regional Planning Commission

18 - - -

1 THURSDAY EVENING SESSION  
2 May 23, 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 23rd day of  
8 May, 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: It's 5:00. We'll  
14 call the meeting to order.

15 I'm going to start with roll call.

16 Dave Evans.

17 MR. EVANS: Here.

18 CHAIRPERSON TIMMERMAN: Clara Pargeon.

19 MS. PARGEON: Here.

20 CHAIRPERSON TIMMERMAN: Darrin Rehus, not  
21 here.

22 Deb Stacy.

23 SECRETARY STACY: Here.

24 CHAIRPERSON TIMMERMAN: And John Timmerman,  
here.

1 SECRETARY STACY: Okay. I can read the  
2 minutes from the last meeting May 20th.

3 (Mr. Cordonnier joined the proceedings.)

4 MR. CORDONNIER: Hello.

5 SECRETARY STACY: Allen Township Zoning  
6 Commission, May 20th, 2024. Attendance: Dave Evans,  
7 Deb Stacy, John Timmerman. Clara Pargeon arrived at  
8 5:38 p.m. Darrin Rehus was absent.

9 Deb Stacy, Allen Township Zoning Commission  
10 Secretary, read the May 16th, 2024, minutes.

11 Motion 24-04-31M. John Timmerman moved to  
12 approve the Allen Township Zoning Commission minutes  
13 from the May 16th, 2024, meeting. Dave Evans moved to  
14 second. The motion passed.

15 The Allen Township Zoning Commission  
16 discussed Borrow Pits, Artificial Ponds, and  
17 Nonconforming Uses.

18 Matt, from Hancock County Regional Planning,  
19 added clarification and information to the discussion.

20 The proposed zoning map was addressed and  
21 input was received from guests. John made small  
22 revisions on the map as a result of comments received  
23 from the zoning commission and guests.

24 Motion 24-04-32M. John Timmerman moved to

1 enter into Executive Session for the purpose of  
2 litigation against the zoning commission at 7:07 p.m.  
3 Dave Evans seconded the motion. On roll call vote to  
4 enter into Executive Session, the members voted: Dave  
5 Evans, yes. Clara, Pargeon, yes. Deb Stacy, yes.  
6 John Timmerman, yes. Motion passed. And the members  
7 entered into Executive Session.

8 Motion 24-04-33M. Clara Pargeon moved to  
9 leave Executive Session and return to regular session  
10 with no action taken at 7:29 p.m. David Evans  
11 seconded the motion. Motion passed.

12 Motion 24-04-34M. John Timmerman moved to  
13 adjourn the meeting. Clara Pargeon seconded the  
14 motion. Motion passed.

15 CHAIRPERSON TIMMERMAN: I move to accept the  
16 meeting minutes as read.

17 SECRETARY STACY: Okay. John. And can I  
18 have a second?

19 MS. PARGEON: I second it.

20 SECRETARY STACY: Clara is going to second  
21 it.

22 And everyone in agreement, say "Aye."

23 (Vote taken.)

24 SECRETARY STACY: Are there any opposed?

1 (No response.)

2 SECRETARY STACY: Motion passed. And you're  
3 signing.

4 CHAIRPERSON TIMMERMAN: So I'm not looking  
5 to make major changes on the map, but every time I go  
6 home and color it, you see a little section and  
7 you're, like, Why was that not addressed?

8 Initially, I thought this was all going to  
9 be Findlay here, but Matt seemed to think it's this  
10 here (indicating).

11 MS. LAND: It is that there.

12 CHAIRPERSON TIMMERMAN: It is just that  
13 section there? Does it make sense, like, this little  
14 section right through -- I mean, right now, as it  
15 sits, it would be Agricultural, which --

16 MS. LAND: What's in there now?

17 CHAIRPERSON TIMMERMAN: I don't think  
18 there's much of anything back in there, but I don't  
19 know that for a fact.

20 SECRETARY STACY: Is this Racetrack?

21 CHAIRPERSON TIMMERMAN: Racetrack will sit,  
22 like, right here (indicating.) I don't know how far  
23 back it goes. It sits right in here.

24 SECRETARY STACY: Is this --

1 MR. CORDONNIER: The total site is, like,  
2 7 acres. The Racetrack.

3 CHAIRPERSON TIMMERMAN: The Racetrack is?

4 MR. CORDONNIER: Because it has truck  
5 parking for probably 50.

6 CHAIRPERSON TIMMERMAN: It will be the full  
7 width of that section. Is that a fair statement? Or  
8 is there an access road going --

9 MR. CORDONNIER: Yeah. I think it's a  
10 little wider at the road, just a smidge, I think.

11 CHAIRPERSON TIMMERMAN: Coming across here  
12 (indicating)?

13 MR. CORDONNIER: Yeah.

14 CHAIRPERSON TIMMERMAN: So, I guess, is  
15 there anything wrong with -- I'm not suggesting any  
16 kind of zoning. But, like, if you zoned it all  
17 Business or something, whatever isn't -- I mean, when  
18 you make the map, you would just make whatever section  
19 part of Findlay, and, then the rest will be left?  
20 What's the best way to --

21 MR. CORDONNIER: I'm a big fan of zoning  
22 things for how they're being used today.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MR. CORDONNIER: Just over my years. So --

1 because, you know, I've heard, for Dr. Lai's up there,  
2 I heard a mix of Multi-Family, Commercial. I've heard  
3 a lot of different things.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MR. CORDONNIER: So, in some ways, I almost  
6 default to the less intense use, and, then, people  
7 will come in and request what they want. So that's --  
8 for that, I mean, you could guess B, but they might  
9 want Multi-Family, or -- you know.

10 CHAIRPERSON TIMMERMAN: Right. Whatever you  
11 choose is wrong kind of thing?

12 MR. CORDONNIER: A little bit. But -- so I  
13 don't see any harm in having it Agricultural, and,  
14 then, if there's development in the next two or three  
15 years, they'll come in and ask for what they want.

16 MS. PARGEON: Okay. Yeah. Leave it  
17 Agricultural.

18 MR. EVANS: Yeah.

19 MS. PARGEON: That's fine.

20 CHAIRPERSON TIMMERMAN: Does it matter then?

21 MR. CORDONNIER: I mean --

22 CHAIRPERSON TIMMERMAN: Okay.

23 MR. CORDONNIER: I don't see any damage in  
24 keeping it Agricultural.



1 CHAIRPERSON TIMMERMAN: That's fine. That's  
2 fine. I really don't know what's back in there.

3 MR. CORDONNIER: I know the -- there is --  
4 that kind of circular lot is a home.

5 CHAIRPERSON TIMMERMAN: Circular lot.

6 MR. CORDONNIER: Just above right -- you're  
7 almost pointing to it.

8 CHAIRPERSON TIMMERMAN: This one  
9 (indicating)?

10 MR. CORDONNIER: It's not really circular.  
11 But --

12 CHAIRPERSON TIMMERMAN: Not a square?

13 MR. CORDONNIER: Not a square. That's a  
14 residence.

15 CHAIRPERSON TIMMERMAN: Really?

16 MR. CORDONNIER: Yeah. And, then, some of  
17 it is actually some farm fields and stuff.

18 CHAIRPERSON TIMMERMAN: Okay. Then I have  
19 no problem with that. I just saw kind of a random  
20 spot that wasn't addressed at all.

21 MR. CORDONNIER: Now -- but, then, I  
22 think -- does that incorporate any of the two  
23 buildings there where -- that the railroad place used  
24 to be in?

1 SECRETARY STACY: I know where you mean.

2 MR. EVANS: Flag City Furniture is in one.  
3 I think --

4 MR. CORDONNIER: If those are -- they are  
5 still in the township. I would -- since they're being  
6 used as Commercial, I'd zone that Commercial, and it's  
7 proximity to County Road 99.

8 CHAIRPERSON TIMMERMAN: Like right in here?  
9 I don't know which ones they are.

10 SECRETARY STACY: Yeah. It would be right  
11 here, wouldn't it?

12 MR. CORDONNIER: Yeah.

13 CHAIRPERSON TIMMERMAN: Is that right in  
14 front of the house?

15 MR. CORDONNIER: The house is back.

16 CHAIRPERSON TIMMERMAN: Well, but  
17 property-wise.

18 MR. CORDONNIER: Yeah. Yeah. It would be  
19 that lot right there. I would put that as Commercial  
20 since they're using it as Commercial right now.

21 CHAIRPERSON TIMMERMAN: Business, then? Is  
22 that B --

23 MR. CORDONNIER: I would make a decision  
24 between B-1, B-2, B-3.

1 MS. LAND: If you make it B-3, it can be any  
2 of the above.

3 MR. CORDONNIER: Yeah.

4 SECRETARY STACY: True.

5 MR. CORDONNIER: I would say maybe B-2.

6 CHAIRPERSON TIMMERMAN: (Unintelligible) B-2  
7 again?

8 MR. CORDONNIER: Hum?

9 CHAIRPERSON TIMMERMAN: You'd go B-2 or B-3?  
10 Cindy's point was if you make it B-3, it can be --  
11 anything in B-1 could go in there.

12 MR. CORDONNIER: Yeah. I was trying to  
13 think. Was B-3 kind of our --

14 CHAIRPERSON TIMMERMAN: The biggest.

15 MS. LAND: Our catch-all.

16 MR. CORDONNIER: A little bit of our  
17 catch-all.

18 MS. LAND: Uh-huh. Unless there's something  
19 in B-3 you wouldn't want to have put there, then you  
20 would go B-2 and B-1 because they're all -- it's a  
21 pyramid.

22 SECRETARY STACY: As close as it is there.

23 CHAIRPERSON TIMMERMAN: I mean, there's a  
24 gas station going right next door, which gas stations

1 are B-3. So it's already -- it's not going to be  
2 anything in -- being B-3.

3 MR. CORDONNIER: Yeah. I wouldn't have any  
4 issue with that front parcel being pushed.

5 SECRETARY STACY: You're going to --

6 CHAIRPERSON TIMMERMAN: I know it. I know  
7 it.

8 SECRETARY STACY: Wear a hardhat.

9 CHAIRPERSON TIMMERMAN: If I didn't do that  
10 I couldn't write on it.

11 SECRETARY STACY: Do we also -- do we have  
12 to do the Future Map; is that correct?

13 MS. LAND: Yeah. You don't have to do that  
14 one, though, before the hearing because it's not part  
15 of the --

16 SECRETARY STACY: Okay.

17 MS. LAND: I would, if you can. But if it's  
18 not ready during that 30-day sitting time when people  
19 can review it, it's not going to be a deal breaker  
20 because it's not something that's voted on. It's not  
21 part of the plan itself. It's a tool.

22 SECRETARY STACY: Okay.

23 CHAIRPERSON TIMMERMAN: Okay.

24 SECRETARY STACY: All right.

1 MS. LAND: Remember back when we were  
2 looking, I handed out the soil -- or the Solar and  
3 Wind stuff to you. Remember when we came across the  
4 "demountable"?

5 CHAIRPERSON TIMMERMAN: What was it?

6 MS. LAND: Demountable.

7 SECRETARY STACY: Yes. I looked it up.

8 MS. LAND: It means just to unmount.

9 MS. PARGEON: Take it down.

10 MS. LAND: So it's not (unintelligible.) I  
11 just wanted to make sure we addressed it.

12 MR. CORDONNIER: I need to step outside to  
13 get cell service. My wife's texting, and she'll be  
14 mad if I don't respond to it.

15 MS. PARGEON: Oh, the other half.

16 MS. LAND: I wish my husband was like that.  
17 He never returns my texts. He says, I'll see you at  
18 home. He doesn't text, unless something  
19 (unintelligible).

20 SECRETARY STACY: Are we going to look at  
21 the handouts that you gave us, or are we --

22 MS. LAND: It's up to you. How do you want  
23 to handle this? The ones I gave you are fine for you  
24 guys to just review and have ready to go.

1 SECRETARY STACY: Sure.

2 MS. LAND: Did you get a chance to review  
3 the set I gave out last time on the early parts?

4 SECRETARY STACY: Yeah.

5 CHAIRPERSON TIMMERMAN: I think that's the  
6 better place to start, unless there's something  
7 important you want to start with it.

8 SECRETARY STACY: That's what I -- that's  
9 what I did because I did make a couple of notes.

10 MS. LAND: Good. Because, you know -- okay.  
11 Now, the section with Definitions is going to change  
12 because the definitions that I handed out to you are  
13 going to get incorporated in there alphabetically as  
14 they come along. But I wanted you to review this new  
15 set without having to look at all the old ones, too.  
16 That's why I left them separate before we incorporate  
17 them.

18 SECRETARY STACY: Okay. Would it make sense  
19 to put 2024 on the -- just for clarification that this  
20 is our --

21 MS. LAND: We could. Yeah.

22 On this title page, we usually put the --  
23 you don't have the title page because it  
24 was identified for the last one, so I took it off; but

1 it's like a cover to the book. It will say Allen  
2 Township Zoning Commission, Enacted November 2024 on  
3 it. And there will be a cover page included with the  
4 one that we're -- when we get it finished.

5 SECRETARY STACY: Okay. That's fine.

6 CHAIRPERSON TIMMERMAN: (Unintelligible) on  
7 here.

8 MS. LAND: And you guys get to choose what  
9 color your cover page is.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: Don't go crazy on me. It has to  
12 be something I've got.

13 CHAIRPERSON TIMMERMAN: What's the best  
14 strategy here? Do you just kind of -- I mean, you've  
15 said in the past you're not necessarily going to read  
16 the whole thing.

17 MS. LAND: No.

18 SECRETARY STACY: We've already read it  
19 once.

20 MS. LAND: I want to go through each  
21 section. Anything that you have any comments on in  
22 that particular section we'll deal with and I'll  
23 change it right now.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. LAND: We're going through Sections 1  
2 through 12.

3 CHAIRPERSON TIMMERMAN: Do we have a handout  
4 left over from last time by chance?

5 MS. LAND: I knew you were going to ask  
6 that. I did not remember. I don't think I did. It  
7 was a big handout.

8 MS. PARGEON: Mine's in my notebook.

9 MS. LAND: Here we go.

10 MS. PARGEON: Notebook's with her.

11 CHAIRPERSON TIMMERMAN: You got any more?

12 MS. LAND: Since I forgot Clara's notebook.

13 MS. PARGEON: That's okay. It won't  
14 disappear.

15 MS. LAND: (Unintelligible) trust me with  
16 the next one for me to go make copies.

17 CHAIRPERSON TIMMERMAN: We'll wait till now.

18 MS. PARGEON: Thank you.

19 CHAIRPERSON TIMMERMAN: I guess we'll just  
20 start at the top, go through the title. At the end of  
21 the fourth line down, it says, "...limit the height  
22 and bulk of structures."

23 Elsewhere in the book, we call that section  
24 Area and Bulk, I think, don't we?



1 MS. LAND: We do want to limit height.

2 CHAIRPERSON TIMMERMAN: I know.

3 MS. LAND: So do we want height, area, and

4 bulk?

5 CHAIRPERSON TIMMERMAN: Sure. I just --

6 MS. LAND: Does that make sense?

7 CHAIRPERSON TIMMERMAN: I was just trying to

8 keep it --

9 MS. LAND: What's bulk?

10 SECRETARY STACY: Yeah.

11 MS. LAND: Do we need it to be height and

12 area?

13 SECRETARY STACY: Yeah. I think. See --

14 CHAIRPERSON TIMMERMAN: Bulk is, like,

15 density, though, right?

16 MR. EVANS: Or square footage.

17 SECRETARY STACY: But area would be --

18 MS. LAND: That's area.

19 CHAIRPERSON TIMMERMAN: That would be area.

20 SECRETARY STACY: Wouldn't area be -- is

21 area bulk?

22 MR. CORDONNIER: I would view them as the

23 same.

24 SECRETARY STACY: Okay. So maybe we could

1 chose one or the other. So does it --

2 MS. LAND: I would say "area."

3 SECRETARY STACY: I think people could  
4 relate to area better than bulk.

5 MS. LAND: Well, and one of the things,  
6 though, about -- I'm not going to do any mark outs and  
7 changes on this. I'm going to just change it so we  
8 don't have to go --

9 SECRETARY STACY: Yeah.

10 MS. LAND: -- back through again with my  
11 red.

12 SECRETARY STACY: Yeah.

13 MS. LAND: The title and the -- a part of  
14 this is not part of the legal portion of the book.  
15 The title and any legal thing. Like, the title of a  
16 statute is not part of the statute. So if there's a  
17 typo in one of those or something that's misleading,  
18 or something that doesn't quite apply to what's in the  
19 code itself, it's the bulk under it. So the title  
20 is -- it's good to have it as clear as we can, but if  
21 we aren't all completely satisfied with it, it's not  
22 going to really have any huge effect. You know, it's  
23 just the cover page and the meat comes later. That we  
24 do have to agree on.

1 CHAIRPERSON TIMMERMAN: Okay. There's one  
2 other spot right here. There's a dot after the word  
3 "the."

4 MS. LAND: I know. I just found that.  
5 There's also some spaces between semicolons.

6 SECRETARY STACY: Uh-huh. Okay.

7 CHAIRPERSON TIMMERMAN: Just looking down to  
8 the Preamble, I see similar spaces around commas and  
9 whatnot.

10 SECRETARY STACY: Yeah.

11 MS. LAND: Yeah. It's all over the place.  
12 It has -- I think it was one of those conversion  
13 things that I didn't -- that didn't get fixed with the  
14 way I tried to fix it.

15 But those are things I'll pick up as I'm  
16 going through. Point them out so I know they're  
17 there. But if we miss any of them, we're going to be  
18 going through -- once I get it to the point where  
19 it's -- all the line outs are gone, the reds all turn  
20 to black, and it's your final, then I hand it off to  
21 somebody else in my office and they read it backwards.  
22 They go from the back and go line -- that's how we  
23 edit things, just to see weird stuff like spacing.

24 That way, they aren't trying to concentrate

1 on what the words are. They're looking at space and  
2 words. We usually can put out a document that has the  
3 minimal amount of bonehead mistakes.

4 CHAIRPERSON TIMMERMAN: Should we worry  
5 about that kind of stuff, then, at this point?

6 MS. LAND: If you see them, let me know, and  
7 I'll try to fix them now; otherwise, I have to go  
8 through and fix them later.

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. LAND: Doesn't hurt my feelings.

11 CHAIRPERSON TIMMERMAN: I'm sure it doesn't.

12 MS. LAND: I've been practicing too long.  
13 I don't even have feelings anymore. I had one once  
14 and it was (unintelligible).

15 SECRETARY STACY: Could -- at the very  
16 bottom, under Short Title --

17 MS. LAND: Should go to the next page.

18 SECRETARY STACY: I know. But could we put  
19 a capital "Z" for Zoning?

20 MS. LAND: Yeah. Yeah. I can do the other  
21 one. (Unintelligible). I'm going to get the whole  
22 Short Title up on the first page instead of having it  
23 go to another page. It wasn't on mine.

24 MR. CORDONNIER: Does the --

1 MS. LAND: It is on yours, I guess.

2 MR. CORDONNIER: Does the -- the Future Land  
3 Use Plan, would the Future Land -- future zoning, is  
4 that kind of -- does that satisfy the Comprehensive  
5 Plan? It mentions the Comprehensive Land Use Plan.

6 MS. LAND: The Comprehensive Land Use Plan  
7 is this book.

8 MR. CORDONNIER: Okay.

9 MS. LAND: That -- the Future Use Map is not  
10 part of the -- it doesn't get put to the Board of  
11 Elections. It doesn't get shown at the zoning -- you  
12 can show it at a hearing, but it's not part of the  
13 actual legislation. It's not legislated.

14 MR. CORDONNIER: Okay.

15 MS. LAND: But when they talk about the  
16 Comprehensive Plan, it's this book.

17 MR. CORDONNIER: Okay.

18 MS. LAND: And the map.

19 SECRETARY STACY: Okay.

20 MS. LAND: Now we're in Section 2,  
21 Definitions.

22 CHAIRPERSON TIMMERMAN: I think so.

23 MS. LAND: Okay.

24 CHAIRPERSON TIMMERMAN: Item No. 2.

1 "Swimming" was not capitalized at the very start.

2 Your definition of Airbnb here doesn't match  
3 your definition of Airbnb that you brought tonight.

4 MS. LAND: Right. So that's what you guys  
5 have to look at --

6 MR. CORDONNIER: This -- this -- the  
7 handout -- this handout is --

8 MS. LAND: -- are definitions that have not  
9 all been incorporated yet. It was easier to have them  
10 as their own separate one. There were others we came  
11 up with that were not in the old book.

12 When we looked at this we said, A lightly  
13 regulated home-sharing site that let's almost anyone  
14 list accommodations, and we decided that that seemed a  
15 little odd.

16 I did some more looking and I found,  
17 "A residential property that's rented by the owner on  
18 a short-term basis." That seems like a better  
19 definition of what Airbnb is.

20 CHAIRPERSON TIMMERMAN: I agree.

21 SECRETARY STACY: Okay.

22 MS. LAND: Okay. So we'll use that one and  
23 not this one.

24 SECRETARY STACY: All right.

1 MR. CORDONNIER: Most of the codes that I  
2 saw, I don't know if we want to add a short-term  
3 basis, generally less than 30 days. A lot of them use  
4 30 days as kind of the -- what does "short-term" mean.

5 SECRETARY STACY: Short-term may be  
6 different from one person to another --  
7 interpretation.

8 MS. PARGEON: Now, a question. It says  
9 "...by the owner." "A residential property that is  
10 rented, by the owner," wouldn't it be from the owner?

11 CHAIRPERSON TIMMERMAN: By the owner.

12 SECRETARY STACY: Rented.

13 MS. LAND: I think it's indicating that the  
14 owner himself is doing the renting.

15 MS. PARGEON: Okay.

16 MS. LAND: Unless you guys want to put it a  
17 different way.

18 SECRETARY STACY: I don't think you need  
19 those commas, do you? You could just say, It's a  
20 residential property.

21 MS. PARGEON: That is rented by the owner.  
22 Yeah, take that comma out.

23 SECRETARY STACY: Take the two commas out.

24 MS. LAND: I think we'd change what it means

1 if we say "rented by the owner" without commas,  
2 because then it looks like the owner is renting it.

3 CHAIRPERSON TIMMERMAN: Right.

4 SECRETARY STACY: Okay.

5 CHAIRPERSON TIMMERMAN: The comma is part of  
6 rent -- or the owner is the one renting it out.

7 MS. LAND: Yes.

8 SECRETARY STACY: Okay.

9 MS. LAND: Do you want to put the "generally  
10 less than 30 days"?

11 SECRETARY STACY: I do.

12 CHAIRPERSON TIMMERMAN: I do, too.

13 MS. PARGEON: Yeah.

14 SECRETARY STACY: I think that's good.

15 MS. LAND: So, now, it will read, "...is a  
16 residential property that is rented by the owner on a  
17 short-term basis, generally less than 30 days."

18 Should I have a comma after "basis"?

19 MS. PARGEON: Uh-huh. Yes.

20 CHAIRPERSON TIMMERMAN: I think three commas  
21 in one sentence is probably not grammatically correct.

22 MS. LAND: Sure, it is. They're clauses.

23 MR. EVANS: Yeah.

24 MS. LAND: You can have 100 clauses, if you



1 want. You ought to see some of the papers we used to  
2 write.

3 I'm going to remove the Artificial Pond  
4 section that is lined out.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: And, then, the one in red is  
7 this -- I don't know if -- I think it's not on this.

8 CHAIRPERSON TIMMERMAN: No, it's not on the  
9 new one.

10 MS. LAND: There are just too many versions  
11 of things. That's why we've got to work on this one  
12 to make it what we want.

13 Is this good? It's the one with the minimum  
14 size to be a pond. We don't have anything in here  
15 about the maximum size, which we do have in our Pond  
16 section.

17 CHAIRPERSON TIMMERMAN: I think we did two  
18 different sized ponds, didn't we? Depending upon what  
19 district or whatever. Well, for Agricultural, and,  
20 then, for if it was a subdivision.

21 MS. LAND: Uh-huh.

22 CHAIRPERSON TIMMERMAN: So I don't think I  
23 would incorporate -- I think adding the maximum size  
24 to make it cluttered and confusing.

1 MS. LAND: I'm trying to figure out why we  
2 have minimum size then.

3 CHAIRPERSON TIMMERMAN: I don't know what  
4 you'd do with a pond that's less than 500 square feet.  
5 But...

6 MS. LAND: That would be more like a puddle.

7 CHAIRPERSON TIMMERMAN: Right.

8 MS. LAND: Okay. We'll leave it as is.

9 CHAIRPERSON TIMMERMAN: Okay. You've got  
10 Automobile Repair, and, then, at your handout tonight  
11 has Automobile Repair, Major, and Automobile Repair,  
12 Minor.

13 MS. LAND: Because what we had in here  
14 initially was just Repair, and, then, we had  
15 definitions of Major and Minor. I don't know that  
16 when we did the Business sections we identified that  
17 some had major and some had minor, did we?

18 MS. PARGEON: We talked about it.

19 MS. LAND: But I don't know if it ended up  
20 looking that way. Do you want to have a subsection  
21 under Automobile Repair and identify Major and Minor?

22 MR. CORDONNIER: I'd say, if we look for it  
23 in the code, and if it calls them out, then we should.  
24 If not, then --

1 CHAIRPERSON TIMMERMAN: Can you do a Control  
2 F and see if it's in there?

3 MS. LAND: No.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: Because I have different  
6 documents for each one of these.

7 SECRETARY STACY: I think we do need a  
8 distinction.

9 MR. CORDONNIER: I thought we did.

10 SECRETARY STACY: So I would think that we  
11 would need that to -- that difference because I think  
12 we're addressing it, the districts are different.

13 MR. CORDONNIER: I thought B-2 was -- I  
14 thought B-2 was, like, service stations, and, then,  
15 B-3 was major.

16 SECRETARY STACY: Yeah.

17 CHAIRPERSON TIMMERMAN: But there's still a  
18 service station definition right after. Actually both  
19 documents have a service station definition. So B-2  
20 has Automobile Service Centers.

21 MS. LAND: What section is that on the top  
22 of it? What does it say?

23 CHAIRPERSON TIMMERMAN: Section 803.

24 MS. LAND: I can bring it up.

1 CHAIRPERSON TIMMERMAN: And, then, 902 also  
2 says Automobile Service Station, but there it  
3 specifically says --

4 MS. LAND: Under Automobile Service Centers,  
5 in Section 8, is all lined out. It's all gone. So I  
6 think we removed it.

7 MR. CORDONNIER: But the word's still there.

8 MS. LAND: Yeah. And that's a question.  
9 Well, I think we wanted to leave it there and then  
10 have the definition. So we have Center versus  
11 Station, and is there a difference?

12 CHAIRPERSON TIMMERMAN: Well, in 902, it  
13 says, Automobile Service Station for the sale of  
14 gasoline, oil, and minor accessories.

15 So I think "station" is implying a gas  
16 station and that's -- this was the -- 803, wasn't this  
17 the one where it was, like, adjoined to a building or  
18 something? Was that a whole different section? Yeah.  
19 Larger Planned Shopping Center, is where that was --  
20 (unintelligible).

21 MR. CORDONNIER: Yeah.

22 CHAIRPERSON TIMMERMAN: So maybe that should  
23 be, like, the minor repair.

24 MR. CORDONNIER: So I've got to think my

1 opinion is Automobile Repair, Minor, should be a use  
2 in B-2, and Automobile Service Station should be a use  
3 in B-2. And, then, in B-3, Automobile Repair, Major,  
4 that's your collisions, your auto bodies, your -- you  
5 know.

6 MS. LAND: And we'll be getting to those  
7 sections to be able to do that. Right now, we're  
8 worried about the definitions of them. So do these  
9 definitions work for when we identify them in these  
10 other sections? And, that way, we don't have to write  
11 out all the stuff in these sections to have it be --

12 CHAIRPERSON TIMMERMAN: Sure.

13 SECRETARY STACY: Right.

14 MS. LAND: -- potentially conflicting.

15 SECRETARY STACY: Right.

16 MR. CORDONNIER: Service station, maybe it  
17 doesn't mention gasoline anywhere.

18 CHAIRPERSON TIMMERMAN: In the definition,  
19 you're saying?

20 MR. CORDONNIER: Yeah.

21 MR. EVANS: But it does in -- under the 902.

22 CHAIRPERSON TIMMERMAN: Right. But I think  
23 it would be smart to have it in the definition.

24 MS. LAND: Of Service Station, right?

1 MR. CORDONNIER: And I think the verbiage in  
2 902 will probably just get erased and just list it as  
3 Automobile Service Station. Then you've got to go to  
4 the Definitions to get the details. I would say the  
5 primary purpose is to sell gasoline, but that's not  
6 really the case anymore. Sea monkeys and all sort of,  
7 you know --

8 CHAIRPERSON TIMMERMAN: Actually, at the end  
9 of the definition in the zoning book, it does say,  
10 fuel and/or charging ports.

11 MS. PARGEON: Uh-huh.

12 MR. CORDONNIER: Okay.

13 CHAIRPERSON TIMMERMAN: So I think it's the  
14 same definition outside of that.

15 MS. LAND: So do we want to keep the one  
16 that is currently in the book and not this one here?

17 CHAIRPERSON TIMMERMAN: I think so.

18 MR. CORDONNIER: Yeah.

19 MR. EVANS: Yeah.

20 MS. LAND: Okay.

21 CHAIRPERSON TIMMERMAN: And, then, adopt the  
22 Major and Minor Repair into the book.

23 MS. LAND: Okay. Got it. As written there?  
24 With any alterations?

1 MS. PARGEON: Leave it as it's written.

2 MR. CORDONNIER: Do we want to add the word  
3 "transmission" to the "Major," just in kind of the  
4 list?

5 SECRETARY STACY: Yeah. Yeah.

6 MR. CORDONNIER: Those are usually pretty  
7 major-type deals.

8 MR. EVANS: Right. Seems like that should  
9 fit.

10 SECRETARY STACY: Yeah.

11 MR. EVANS: It would fit B-3 the same as the  
12 engine rebuilding.

13 MS. LAND: Major or Minor?

14 MR. EVANS: Major.

15 MR. CORDONNIER: Major.

16 MS. LAND: Okay. Board is a no brainer.  
17 Has to be Boarding or Lodging House. Do you want it  
18 just to be Boarding House? And, then, Bed and  
19 Breakfast is another one that's on this other list  
20 over here.

21 SECRETARY STACY: Yeah. Get rid of that  
22 "lodging," I think. Too wordy.

23 CHAIRPERSON TIMMERMAN: The Bed and  
24 Breakfast, you have, "...where the owner lives on

1 site." The last bed and breakfast I was at they  
2 didn't actually live on site, but they came every day  
3 to prepare breakfast. So I don't --

4 MS. LAND: It depends. Do you guys want it  
5 to be where somebody lives on site, or do you want  
6 them to have --

7 MS. PARGEON: Let them come and go.

8 MS. LAND: The traditional concept is that  
9 they do live on site.

10 CHAIRPERSON TIMMERMAN: I know.

11 MS. LAND: And it changes the scope of what  
12 it could be a little bit because you could end up with  
13 being poorly regulated little motels otherwise.

14 CHAIRPERSON TIMMERMAN: There's a lot of  
15 truth in that.

16 MS. LAND: It's a little more restrictive.

17 MS. PARGEON: It would work better. They'd  
18 have more control of it.

19 CHAIRPERSON TIMMERMAN: I'm okay with  
20 leaving it.

21 SECRETARY STACY: Yeah.

22 MS. PARGEON: Yeah.

23 MR. EVANS: Yeah.

24 CHAIRPERSON TIMMERMAN: Okay.



1 SECRETARY STACY: Yeah.

2 CHAIRPERSON TIMMERMAN: You got rid of "for  
3 lodging" on Boarding, right?

4 MS. LAND: Uh-huh.

5 CHAIRPERSON TIMMERMAN: Okay.

6 SECRETARY STACY: On Borrow Pit, on the  
7 first line, the "form" should be "from."

8 MR. EVANS: And then, down a little more  
9 than halfway, it says, "as fill for activities."

10 MS. LAND: "...for activities." No "and,"  
11 right?

12 MR. EVANS: Yeah.

13 SECRETARY STACY: And, then, the very last  
14 sentence, it should -- instead of "so-site," it should  
15 be "on-site."

16 MS. LAND: Uh-huh.

17 CHAIRPERSON TIMMERMAN: Did I miss one?  
18 Boarding House, there's two different  
19 definitions here. Did anybody --

20 MR. EVANS: Yeah.

21 SECRETARY STACY: I guess we didn't  
22 (unintelligible).

23 MR. CORDONNIER: What do you mean "two  
24 different"?

1 SECRETARY STACY: Yeah.

2 MR. EVANS: There's one here in the  
3 definition.

4 SECRETARY STACY: Two definitions for  
5 Boarding House.

6 MR. CORDONNIER: Oh, I wasn't checking the  
7 other page.

8 MS. LAND: What's in here is what was in the  
9 original book. This is the one that we came up with  
10 as we were doing some discussion. I don't know which  
11 one we want. Either one. To me, I couldn't care  
12 less, but I'm -- there just aren't that many boarding  
13 houses around.

14 SECRETARY STACY: No.

15 MS. LAND: But having nothing put in there,  
16 somebody will want to do one. So do something.

17 MR. CORDONNIER: What we see is no one wants  
18 to do the traditional, you know, "It's A Wonderful  
19 Life," pay a quarter for a room for the week. But  
20 what they -- what we do see a lot of are, like,  
21 recovery houses. Recovery houses, transitional  
22 housing. They kind of -- they usually go to the  
23 boarding -- or boarding. That's kind of where they  
24 fit.

1 SECRETARY STACY: Okay.

2 MR. CORDONNIER: So that's my -- because  
3 they meet the definition. Like, six people living  
4 there with, like, an in-home adviser.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MR. CORDONNIER: And it -- so that's -- in  
7 the modern day, that's what we see.

8 MR. EVANS: There's one on Melrose, isn't  
9 there?

10 MS. LAND: I think we might want to do a  
11 combination.

12 MR. CORDONNIER: There's quite a few.

13 MR. EVANS: Oh, is there?

14 MS. LAND: "A building..." I don't like,  
15 "...designed for use as single-family or two-family  
16 dwelling."

17 SECRETARY STACY: Right.

18 MS. LAND: That makes no sense.

19 MS. PARGEON: Uh-huh.

20 SECRETARY STACY: Do we really need to be  
21 concerned with the meal?

22 MS. LAND: I think -- yeah. That does make  
23 the --

24 SECRETARY STACY: You think so?

1 MS. LAND: -- difference.

2 CHAIRPERSON TIMMERMAN: So it's "...with or  
3 without meals." I don't know how that makes a  
4 difference.

5 MS. LAND: The "with" would make the  
6 difference. Maybe have it without. But if they  
7 are -- you're living there in a room and you're eating  
8 in a group setting, I think that's definitely the  
9 definition of boarding house.

10 If they do provide meals, it's definitely a  
11 boarding house. They could be a boarding house where  
12 they don't feed you, too, but if they do, it's a --  
13 you don't really want to have -- do you want to just  
14 not address meals at all?

15 SECRETARY STACY: I don't think. Because  
16 when you're saying with or without, it's like --

17 CHAIRPERSON TIMMERMAN: That says it doesn't  
18 matter to me.

19 MS. PARGEON: Yeah.

20 SECRETARY STACY: It's, like, take it out.  
21 It can be either way then.

22 CHAIRPERSON TIMMERMAN: Unless, for some  
23 reason, it needs to be one or the other.

24 SECRETARY STACY: Right.

1 CHAIRPERSON TIMMERMAN: If it had to be  
2 "with meals," then you would leave that in.

3 MS. LAND: This other boarding house, one  
4 over here is one I just -- I Googled to try to find  
5 out the definition.

6 MR. CORDONNIER: I like that one better.

7 MS. LAND: What one?

8 MR. CORDONNIER: The one you looked up. "A  
9 Boarding House: A building other than a motel or  
10 hotel."

11 MR. EVANS: "Three or more guest rooms  
12 used..."

13 I'm confused. "...used as permanent more  
14 than four weeks' lodging for compensation."

15 MS. PARGEON: So they stay up to four.

16 MR. CORDONNIER: Or longer. I think less  
17 than four weeks is your --

18 MR. EVANS: Your temporary.

19 MR. CORDONNIER: You're in short-term.  
20 Longer than four weeks, you're into a more permanent  
21 situation.

22 CHAIRPERSON TIMMERMAN: So just take the one  
23 from the handout today?

24 SECRETARY STACY: Yeah, that works for me.

1 MS. LAND: Oh, Lord. You guys can keep  
2 talking. I'm just going to type this.

3 SECRETARY STACY: Go ahead.

4 MR. CORDONNIER: On the definition of  
5 "building," I kind of like, "...either temporary or  
6 permanent." Because, in the City, we have people  
7 argue, well, it's only going to be there for two  
8 years. It's temporary. The building --

9 MS. LAND: That's kind of permanent.

10 MR. CORDONNIER: I know. But -- and so, I  
11 mean, they kind of argue it's temporary. You know,  
12 it's temporary. Like, we don't have to meet the  
13 standards of the building.

14 SECRETARY STACY: Oh, I see. Okay.

15 MR. CORDONNIER: It's just a little  
16 nitpicky. But I've had people argue, It's only going  
17 to be there for 15 month. Just let me do it. The  
18 rules say. So I can relate to that statement. I  
19 don't care if it's temporary or permanent. It still  
20 has to meet the standards.

21 CHAIRPERSON TIMMERMAN: Right.

22 MR. EVANS: So put that back in?

23 MR. CORDONNIER: That's why I kind of like  
24 that. Yeah.

1 MS. PARGEON: Okay.

2 MR. CORDONNIER: This is the fun part where  
3 you undo all of the things -- you redo all of the  
4 things that you undid.

5 CHAIRPERSON TIMMERMAN: Where did we --  
6 where did everybody settle in? The very last part  
7 says, "...permanently affixed to the ground." That  
8 was a big part of the conversation.

9 SECRETARY STACY: Yes, it was. It was.

10 MS. LAND: So we are putting back either  
11 "temporary" or "permanent"?

12 CHAIRPERSON TIMMERMAN: I'm okay with that.

13 SECRETARY STACY: Uh-huh.

14 MR. CORDONNIER: I like removing  
15 "permanently affixed."

16 CHAIRPERSON TIMMERMAN: So, "A building is  
17 any structure..."

18 MR. CORDONNIER: Yeah. I mean, yeah. Then  
19 you start getting into a debate whether it's  
20 permanently affixed or not. You know, you buy a  
21 shed --

22 SECRETARY STACY: Right.

23 MR. CORDONNIER: -- from -- you know, and  
24 some of those really big sheds, they just put them on

1 gravel.

2 CHAIRPERSON TIMMERMAN: Right.

3 MR. CORDONNIER: That kind of thing.

4 MS. LAND: It's on skids and gravel, it's  
5 not permanently affixed to the ground. It can be  
6 moved.

7 MR. CORDONNIER: Yeah.

8 CHAIRPERSON TIMMERMAN: Is there any square  
9 footage? Like, I mean, a gazebo, at this point, is a  
10 building. Is that where we want to settle in at?

11 MR. CORDONNIER: The City of Findlay,  
12 they -- anything over 50 square feet is considered a  
13 structure.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MR. CORDONNIER: In terms of, like, a shed  
16 or anything like that. I'm not sure of the exact  
17 verbiage. But if your shed is less than 50 square  
18 feet, you don't -- and it's not a permanent  
19 foundation, you don't need a permit.

20 CHAIRPERSON TIMMERMAN: 50 square feet's  
21 pretty small.

22 MR. EVANS: That's 7 by 7. So if it's  
23 8 by 8, it exceeds that. But 7 by 7 would be  
24 49 square feet.



1 CHAIRPERSON TIMMERMAN: Right. That's  
2 pretty small.

3 MR. EVANS: That's an odd size for a shed,  
4 too.

5 CHAIRPERSON TIMMERMAN: Right.

6 MR. CORDONNIER: That's just a frame of  
7 reference.

8 CHAIRPERSON TIMMERMAN: Sure.

9 SECRETARY STACY: Is it helpful to have a  
10 size? Do you see that as a helpful thing?

11 CHAIRPERSON TIMMERMAN: The only reason I  
12 find it helpful is I feel like somebody's going to  
13 have a problem if they've got to get a permit for a  
14 gazebo.

15 SECRETARY STACY: Right.

16 CHAIRPERSON TIMMERMAN: Something that's not  
17 that big. So if you would put a square footage on  
18 it --

19 MS. LAND: You know, if somebody wants to  
20 put a doghouse out, if they have -- you know, if it's  
21 a small little doghouse, if you don't have a size  
22 limit on it, you would need a permit.

23 CHAIRPERSON TIMMERMAN: Technically, yeah.

24 SECRETARY STACY: Yeah. So I --

1 MS. LAND: Which that would be kind of  
2 ridiculous.

3 SECRETARY STACY: That would be ridiculous.  
4 So...

5 MR. EVANS: So the 50 square feet would be  
6 good. I mean, I can't think somebody's going to build  
7 a doghouse.

8 CHAIRPERSON TIMMERMAN: But how big would a  
9 gazebo be?

10 MR. EVANS: It might be 8 by 8.

11 CHAIRPERSON TIMMERMAN: And, then, do we  
12 want to have to pull a permit for a gazebo? Is  
13 that --

14 MR. EVANS: So what do you think? The  
15 one --

16 CHAIRPERSON TIMMERMAN: I don't know. I'm  
17 just talking out loud.

18 MR. EVANS: Uh-huh.

19 CHAIRPERSON TIMMERMAN: I mean, I just feel  
20 like somebody's going to -- not somebody. Probably  
21 most people are going to have a problem with --

22 SECRETARY STACY: Yeah.

23 CHAIRPERSON TIMMERMAN: -- I need a permit  
24 for a gazebo.

1 FROM THE FLOOR: Or a chicken coop.

2 CHAIRPERSON TIMMERMAN: Chicken coop.

3 MR. EVANS: Well, a chicken coop might not  
4 be a bad idea. I mean --

5 MS. PARGEON: Yes, it is.

6 CHAIRPERSON TIMMERMAN: So I don't know.  
7 I mean --

8 MS. LAND: Any size of anything, if it's  
9 permanently affixed to the ground, is going to be  
10 considered a building, right?

11 CHAIRPERSON TIMMERMAN: Does it say that  
12 right now?

13 MS. LAND: That's what I'm asking you.

14 CHAIRPERSON TIMMERMAN: I think if it's  
15 permanently --

16 MS. LAND: If it's on skids --

17 MR. EVANS: There's a lot of stuff that's  
18 not.

19 MS. LAND: -- are we questioning if it's  
20 something that can be moved around? Or are we  
21 questioning, based on size, no matter what it is,  
22 whether it's affixed to the ground or not, because we  
23 do have to, then, start worrying a little bit about  
24 lot coverage. Because if somebody has, you know,

1 three or four chicken coops, and, you know, a little  
2 shed that they want to have goats in, and, then, a  
3 gazebo, we could end up using more than your  
4 percentage of lot coverage with things that look like  
5 buildings, but, apparently, they aren't, according to  
6 our definition. You have to take that into account.

7 CHAIRPERSON TIMMERMAN: So the lot coverage  
8 is only buildings? It wouldn't -- at that point, if a  
9 gazebo was not a building, it wouldn't go into the --

10 MS. LAND: What would it be?

11 CHAIRPERSON TIMMERMAN: I'm just saying if  
12 it wasn't. If it wasn't, it wouldn't go, or whatever,  
13 a doghouse. It's not considered a building so it  
14 doesn't go into your lot coverage. Is that a true  
15 statement?

16 MS. LAND: Yeah. If -- how can we say it's  
17 covering a lot if it's something that had to have a  
18 permit? How would we know?

19 CHAIRPERSON TIMMERMAN: Right.

20 MS. LAND: It does go into lot coverage  
21 because it's covering ground, but we would never know,  
22 or be able to calculate it, because we don't get  
23 permits for it.

24 CHAIRPERSON TIMMERMAN: Right. So...

1 MS. LAND: And it can go either direction.  
2 It's up to you guys. Just know what your issues  
3 you've got to think through, you know domino effect of  
4 other things.

5 CHAIRPERSON TIMMERMAN: Sure.

6 MS. LAND: You make the call. You make the  
7 call any way you want.

8 MR. CORDONNIER: And I think 50 is  
9 appropriate for Findlay because, you know -- Their  
10 shed's in the wrong -- all that kind of stuff. You  
11 may want to consider something larger in a more rural  
12 setting.

13 CHAIRPERSON TIMMERMAN: Yeah.

14 MR. CORDONNIER: But most -- a lot of zoning  
15 codes do, that I've worked with, and none of them have  
16 been townships. But a shed, or anything you do, they  
17 are an accessory structure and you do get a permit.

18 CHAIRPERSON TIMMERMAN: Right.

19 MR. CORDONNIER: It's not an exhaustive --  
20 it doesn't mean you have to go in front of the board  
21 or anything. It's usually whatever price you set,  
22 \$25, and that kind of thing. But you can design this  
23 how you want where accessory structures under, you  
24 know, 200 feet. You know, structures under 200 square

1 feet don't require a permit, you know. However you  
2 want to design it.

3 MR. EVANS: Which, 200 square feet is a  
4 one-car garage.

5 CHAIRPERSON TIMMERMAN: Right.

6 MR. EVANS: So, you know, that's pretty big.

7 CHAIRPERSON TIMMERMAN: I think that's  
8 getting to be a pretty good size at that point. So  
9 that's a building at that point. So...

10 MR. EVANS: So, like, let's say they have an  
11 8 by 10 shed, that's 80 square feet. Should that  
12 require -- is that a building? Seems like it is.

13 CHAIRPERSON TIMMERMAN: I think --

14 MS. LAND: Good size thing. I mean,  
15 especially when you're in a Residential District with  
16 smaller lots, that starts to really look like a big  
17 piece of stuff in the backyard then. As opposed to if  
18 you have a 2-acre lot, then it's more of a little  
19 speck.

20 CHAIRPERSON TIMMERMAN: Any input?  
21 Thoughts?

22 MR. EVANS: If you go bigger, you just don't  
23 want to go too much bigger, I don't think.

24 CHAIRPERSON TIMMERMAN: I agree. I don't

1 think you want to go too big. But 50 square foot is  
2 7 by 7, that's not -- you might as well have --

3 MR. EVANS: That's an odd-ball size.

4 CHAIRPERSON TIMMERMAN: And you might as  
5 well have that's any building at that point because  
6 not many things --

7 MR. CORDONNIER: It does weed out -- it does  
8 weed out dog --

9 MR. EVANS: Dog houses.

10 MS. PARGEON: Bird baths. It weeds out some  
11 things.

12 MR. EVANS: Chicken coop. Small chicken  
13 coop. That kind of stuff.

14 MR. CORDONNIER: I think the intent of  
15 50 square feet in Findlay is that, yes, you do need a  
16 permit for your shed.

17 CHAIRPERSON TIMMERMAN: Right.

18 MR. CORDONNIER: So they kind of sized it  
19 just below what the standard size shed that you can  
20 get at Lowe's or Menard's or whatever.

21 MS. LAND: In Marion Township we have to get  
22 a permit for a shed. And they come out and they sign  
23 it and make sure it's in the right place, do the  
24 footer inspection to ensure even the stone pad is in

1 the right place. It can go any way you want it.

2 CHAIRPERSON TIMMERMAN: I know. I know.

3 I think any shed that people are going to go  
4 buy on like the skid ones, or whatever, I think that's  
5 a building for the most part. I've never seen one  
6 that I wouldn't consider a building, I guess. So...

7 MR. EVANS: 90 percent of them are going to  
8 be bigger than 50 square feet.

9 CHAIRPERSON TIMMERMAN: Exactly.

10 MS. LAND: What about playhouses? They  
11 might be that 50 foot.

12 MR. EVANS: But it's, like, you don't want  
13 to go too much smaller. That's probably why the  
14 50 is there.

15 CHAIRPERSON TIMMERMAN: 75? I don't know.

16 MS. PARGEON: That way they can have an  
17 upstairs in it, huh?

18 MS. LAND: They can have a porch.

19 MS. PARGEON: They can have a porch.

20 SECRETARY STACY: I'm kind of like, oh.

21 MR. CORDONNIER: Well, we get into the weeds  
22 like this all the time. And one of the things I'll  
23 say, in general, is -- maybe this is not correct, but  
24 things aren't -- generally things aren't a violation



1 until someone complains.

2 MS. LAND: That's not true.

3 MR. CORDONNIER: The reality --

4 MS. LAND: It's only breaking the law if you  
5 get caught. No. That's --

6 MR. CORDONNIER: The reality is --

7 MS. PARGEON: Well, if you're not in a zoned  
8 area, it doesn't matter.

9 MR. CORDONNIER: The Findlay Zoning  
10 Inspectors could spend a month writing violation  
11 letters on about eight streets.

12 CHAIRPERSON TIMMERMAN: Right.

13 MR. CORDONNIER: You know, at a certain  
14 point, if someone puts up a playhouse, I don't think  
15 the intent is that, unless it's --

16 CHAIRPERSON TIMMERMAN: Sure.

17 MR. CORDONNIER: -- the -- my experience and  
18 reality is, until someone complains, we're not looking  
19 too greatly into it, on gray area things, like a swing  
20 set or something like that.

21 MS. LAND: The problem, though, is, if you  
22 get a playhouse for your little girl, you put it up,  
23 nobody cares. You get one for your granddaughter, the  
24 neighbor does complain, and, then, we have to enforce

1 against you, and you can't have yours, but you got  
2 yours. That's where we have our problems.

3 MR. CORDONNIER: I knew Cindy wouldn't like  
4 my little speech.

5 MS. LAND: No, no, no. Arbitrary. Then  
6 you're arbitrarily applying it. It has to be applied  
7 evenhandedly across everybody as you're doing zoning.

8 So you have to set these parameters that you  
9 can live with, and, then, live with them. And if it  
10 makes people uncomfortable that they have to get, you  
11 know, a permit for something bigger than 75 square  
12 feet, well, that's just something they're going to  
13 have to debate with you and talk about. But you can't  
14 have -- We'll make it, you know, 50, and if somebody  
15 does something a little bigger, we won't care.

16 Because the next person who does care, you have to  
17 deal with. And, then, they don't fit, and you have  
18 to -- you've got people who do have it, and, then,  
19 people who aren't allowed. That's when you get sued.

20 CHAIRPERSON TIMMERMAN: Okay. Well, I feel  
21 like the last time we sat here and debated this for  
22 quite a while --

23 MS. PARGEON: Yeah.

24 CHAIRPERSON TIMMERMAN: -- we're working on

1 that again.

2 MS. LAND: Clearly, we never quite got down  
3 to --

4 CHAIRPERSON TIMMERMAN: Yeah. And not that  
5 I want to make this debate go on a lot longer, but do  
6 we want to open the floor to specific numbers?

7 MS. PARGEON: Yeah.

8 CHAIRPERSON TIMMERMAN: Does anybody have,  
9 like, a specific number, like, that would be a cutoff?

10 FROM THE FLOOR: I've been looking at  
11 chicken coops, and it's funny that you mentioned that  
12 because, you know, if you want to have six chickens --

13 MS. LAND: Could you speak up a little bit.

14 FROM THE FLOOR: You have, like, a 10 by 10  
15 or 12 by -- seriously that big, so they can have a run  
16 inside of it. Right? And some people will lay, like,  
17 concrete for their chicken coops, you know. And,  
18 then, for the winter, put up more of a -- so maybe you  
19 should think of something more along the lines of a 10  
20 by 10. Like, you know, the same thing with a gazebo  
21 could be that big too.

22 And, so, if you said what -- 100 square foot  
23 instead of 75, up it a little bit. Because if you  
24 notice, some of the houses here, they do have bigger

1 sheds in the back and so forth. So that might be --  
2 because you've got to think, too, you're putting --  
3 even if it's a shed, you're putting in your lawnmower,  
4 riding lawnmower, those are bigger, they've got the  
5 zero radius.

6 So I would probably -- that -- that would be  
7 my suggestion. Make it 100 square feet. And, then  
8 you're right, leave it. And, then, if somebody wants  
9 to challenge that later on, they can.

10 CHAIRPERSON TIMMERMAN: Okay.

11 FROM THE FLOOR: Or they get a permit.  
12 Like, you know, make the permit as cheap as possible.

13 CHAIRPERSON TIMMERMAN: Yeah.

14 FROM THE FLOOR: So that they are -- you  
15 know, listen, it's a \$25 permit. Who cares. Do you  
16 know what I mean?

17 CHAIRPERSON TIMMERMAN: Yeah. Anybody else?

18 FROM THE FLOOR: How about some of those  
19 gazebos they make out of the grain bins?

20 MS. PARGEON: Well, if that's already there.

21 CHAIRPERSON TIMMERMAN: If there's a roof on  
22 it, it's a -- if it's big enough, depending upon the  
23 size, it's a building at that point. It says, Walls  
24 and --

1 FROM THE FLOOR: Not that I want one.

2 CHAIRPERSON TIMMERMAN: Walls and a -- or a  
3 roof supported by walls.

4 MS. LAND: Or columns.

5 CHAIRPERSON TIMMERMAN: Yeah. So that would  
6 be --

7 MS. LAND: So if they do, like, a picnic  
8 shelter in their backyard, I think that would still be  
9 considered a structure.

10 FROM THE FLOOR: That would be probably  
11 about 10 by 10.

12 CHAIRPERSON TIMMERMAN: So 10 by 10 starts  
13 getting into --

14 MS. LAND: That's pretty big.

15 CHAIRPERSON TIMMERMAN: -- buildings that  
16 you buy.

17 MR. EVANS: Right here, we're --

18 FROM THE FLOOR: I was going to say a  
19 loophole is going to start opening up.

20 CHAIRPERSON TIMMERMAN: I know.

21 FROM THE FLOOR: So I don't know if  
22 50 square feet just kind of keeps that shut.

23 MR. EVANS: I like 50 because here's a -- if  
24 you say 75, so a guy gets an 8 by 8 shed, doesn't need

1 a permit, but an 8 by 10 does.

2 CHAIRPERSON TIMMERMAN: Right.

3 MR. EVANS: I think that's so close.

4 CHAIRPERSON TIMMERMAN: That's why I  
5 think -- let's stick with 50. It's a --

6 MS. LAND: Okay. So this will read how?  
7 I'll read through it and you guys stop me where I'm  
8 supposed to be changing.

9 "Any structure, either temporary or  
10 permanent, having a roof supported by columns or walls  
11 and intended for the shelter or the enclosure of  
12 persons, animals, or property of any kind. For the  
13 purposes of this Resolution, a mobile, manufactured  
14 home shall be considered a building."

15 That's all we have. And, then, we have  
16 "permanently affixed to the ground" marked out.

17 MR. CORDONNIER: Any structure greater than  
18 50 square feet.

19 MS. LAND: Hold on a minute.

20 MR. CORDONNIER: Sorry.

21 MS. LAND: I don't type well. Okay.

22 CHAIRPERSON TIMMERMAN: Just because  
23 somebody went to playhouses, what is the definition of  
24 a roof? On a lot of those playhouses, it's a tarp

1 that goes up over it. Do you want a permanent roof?  
2 What's the definition of permanent at that point?  
3 Somebody's going to argue this and you know it.

4 MS. LAND: Uh-huh.

5 MR. CORDONNIER: Then Cindy might not like  
6 this statement either. But --

7 MR. EVANS: You guys should probably sit on  
8 opposite --

9 MR. CORDONNIER: -- you can't -- in my  
10 opinion, you can't write a code for every situation.

11 CHAIRPERSON TIMMERMAN: For sure.

12 MR. CORDONNIER: The best you can do is for  
13 90 percent of the situations, and the other 10 percent  
14 you just have to deal with as they come. Because if  
15 you try to get that final 10 percent, the book goes  
16 from 50 pages to 250 pages.

17 MS. LAND: And we miss something anyways.

18 MR. CORDONNIER: Yeah.

19 CHAIRPERSON TIMMERMAN: It does say "...and  
20 intended for the shelter or enclosure of persons,  
21 animals, or property of any kind."

22 I guess I'm just trying to think. Does that  
23 include --

24 MS. PARGEON: Lawnmowers.

1 CHAIRPERSON TIMMERMAN: Is that what a  
2 playhouse is even?

3 MR. CORDONNIER: I would say no.

4 CHAIRPERSON TIMMERMAN: So...

5 MR. CORDONNIER: If I was a zoning inspector  
6 and someone put up a playhouse that was whatever, you  
7 know, I would say the purpose of the playhouse is not  
8 what this definition is.

9 MS. LAND: Is Molly getting a playhouse?

10 CHAIRPERSON TIMMERMAN: You know she is.  
11 She turns 4 -- or turns 5 soon. You know she's  
12 getting a playhouse.

13 MS. LAND: Some really cute little ones out  
14 there in front of The Grainery.

15 MR. CORDONNIER: So any structure --

16 MR. EVANS: Call us before you buy it,  
17 though.

18 MS. LAND: What?

19 MR. EVANS: I said, Call us before you buy  
20 it.

21 MR. CORDONNIER: "Any structure greater than  
22 50 square feet, either temporary or permanent, having  
23 a roof supported by..." -- and I think you just add  
24 the 50 square feet right at the beginning of the



1 statement.

2 CHAIRPERSON TIMMERMAN: Yeah.

3 MS. LAND: Uh-huh. Okay. And whether or  
4 not it's permanently affixed is an issue or not an  
5 issue? Right now, when we take out "permanently  
6 affixed to the ground," then, the ones on skids fit  
7 the definition of a building and need a permit.

8 CHAIRPERSON TIMMERMAN: I think so.

9 MS. PARGEON: Yeah.

10 MS. LAND: So the "permanently affixed" is  
11 going?

12 CHAIRPERSON TIMMERMAN: I think so.

13 MS. PARGEON: Uh-huh.

14 MR. CORDONNIER: It was marked -- on mine,  
15 it's already marked off.

16 MS. LAND: I know. But it's still there to  
17 be discussed.

18 MR. CORDONNIER: Okay.

19 MS. LAND: Once I click "Delete," it's gone.

20 MR. CORDONNIER: Gotcha.

21 MS. LAND: So I'm deleting?

22 MS. PARGEON: I'm kind of waiting for it to  
23 disappear on my paper.

24 MS. LAND: It's gone.

1 CHAIRPERSON TIMMERMAN: Okay.  
2 I'm still on -- are we done with Building  
3 finally?  
4 MS. LAND: I think so.  
5 CHAIRPERSON TIMMERMAN: Awesome.  
6 MS. LAND: Did we finish Borrow Pit?  
7 MR. EVANS: There were a couple of typos.  
8 MS. LAND: I think we did.  
9 MR. EVANS: Yeah.  
10 CHAIRPERSON TIMMERMAN: Okay. Going down to  
11 Dwelling Unit.  
12 MS. LAND: What? Dwelling Unit?  
13 CHAIRPERSON TIMMERMAN: Down here.  
14 MS. LAND: Where?  
15 CHAIRPERSON TIMMERMAN: I was going to go  
16 down a few.  
17 MS. LAND: Oh.  
18 CHAIRPERSON TIMMERMAN: Why? Do you see  
19 something that needs changed?  
20 MS. LAND: Well, no. Huh-uh.  
21 MS. PARGEON: We just went further faster.  
22 MS. LAND: Okay. Good.  
23 CHAIRPERSON TIMMERMAN: We were supposed to  
24 be reviewing the ones that are --

1 MS. LAND: That you had problems with.  
2 That's right.

3 CHAIRPERSON TIMMERMAN: Exactly. Not every  
4 single line.

5 MS. LAND: It's Thursday. I'm very tired.

6 CHAIRPERSON TIMMERMAN: Okay. At the end,  
7 you have, "...running water and sanitary sewer  
8 facilities" crossed out.

9 MS. LAND: That's something that you had  
10 some discussion on.

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: And I -- because it was  
13 discussion, I left it there with a line in it to be  
14 discussed. Is it staying? Going? Do we want it to  
15 go?

16 CHAIRPERSON TIMMERMAN: A building or  
17 portion -- I think that's what -- that's part of --  
18 it -- we have -- or it had, at the start, "...and  
19 having cooking facilities," but it didn't have  
20 anything about water or sewer. So, I mean, I think  
21 those things all kind of go together. If it's a  
22 dwelling unit that you're going to cook in, you're  
23 probably going to have water and sewer.

24 MR. EVANS: You're saying put that in?

1 MS. PARGEON: Put it back in.

2 CHAIRPERSON TIMMERMAN: I don't know why  
3 it's crossed out, I guess, in my mind. But if anybody  
4 has any thoughts to go with that.

5 MR. EVANS: It seems like that should be  
6 added in because it's not a dwelling.

7 SECRETARY STACY: It's kind of hard to cook  
8 without water.

9 MS. PARGEON: Yeah.

10 SECRETARY STACY: I think we went --  
11 sanitary sewer facility, I would think.

12 MS. PARGEON: Uh-huh.

13 MR. CORDONNIER: We're dealing with that in  
14 Washington Township.

15 MS. LAND: Uh-huh. I think it's good  
16 putting that in there. It stops people using a shed  
17 as a dwelling unit for somebody.

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. LAND: Because either they have to have  
20 it have facilities or it can't be occupied as a  
21 dwelling unit.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. PARGEON: It would be a big problem. So  
24 leave the water -- running water and sanitary sewer

1 facilities.

2 CHAIRPERSON TIMMERMAN: I'm going to go back  
3 to Boarding House real quick. Not that I want to  
4 change anything. You kept the one from the handout  
5 today; is that true?

6 MS. LAND: It says, "A building, other than  
7 a motel or hotel, with three or four guestrooms used  
8 as a permanent more than four weeks' lodging for  
9 compensation."

10 CHAIRPERSON TIMMERMAN: I just want to cross  
11 the other one out.

12 MS. LAND: Okay.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: Under Dwelling Unit, where we  
15 have, Dwelling Unit. One-family, two-family,  
16 multi-family, should those be sub definitions under  
17 Dwelling Unit? Or do you want them to be their own  
18 individual -- that's just a structure thing. It's up  
19 to you guys.

20 CHAIRPERSON TIMMERMAN: I don't have a  
21 problem with that.

22 MR. EVANS: Me either.

23 MS. LAND: Okay. I'll just leave them as  
24 they are.

1 MS. PARGEON: That would be good.

2 MS. LAND: There are a lot of punctuation  
3 problems in this one.

4 Exceptions. We thought about eliminating  
5 Exception completely from the book. That's why I have  
6 it in green here because we're going to discuss it  
7 again; but I don't think we really can. There are  
8 too -- we have to have that -- I went back and I did  
9 some research on why these exist and what they're for,  
10 and they do give you a modicum of a catch-all for  
11 things you never considered could be a problem with  
12 the way you have it written. It makes the book more  
13 flexible.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: Okay with leaving as it is?

16 MS. PARGEON: Yes.

17 CHAIRPERSON TIMMERMAN: Sure.

18 MS. LAND: Except, we have here, it says, "A  
19 use permitted only after review of an application by  
20 the Board of Zoning Appeals or the zoning commission  
21 or township trustees."

22 No. Township trustees never do any  
23 reviewing or applying of the book. That should come  
24 out.

1 CHAIRPERSON TIMMERMAN: Okay. Should it be  
2 the zoning appeals or zoning commission?

3 MS. LAND: Yeah.

4 CHAIRPERSON TIMMERMAN: It should be  
5 either/or? Or should it be one of them?

6 MS. LAND: It depends on what it is. It may  
7 go to one; it may go to the other. It depends on what  
8 kind of exception it's for.

9 CHAIRPERSON TIMMERMAN: Okay. So it's good  
10 to keep it this way?

11 MS. LAND: Yeah, I think so. But I'm going  
12 to take out Planning Commission because that gets  
13 confused with sending it to Regional Planning, and  
14 they aren't in the mix on this either. Nor do I think  
15 they want to be.

16 MR. CORDONNIER: No.

17 MS. LAND: Figured as much.

18 SECRETARY STACY: Would we want a period  
19 after saying, "...zoning appeals or zoning  
20 commission," or removing "township trustees"? We have  
21 township trustees at the end. That would have to be  
22 (unintelligible).

23 MS. LAND: Take that one out, too.

24 SECRETARY STACY: Okay.

1 MS. LAND: But that doesn't make sense, does  
2 it? "A use permitted only after review of an  
3 application by the BZA or zoning commission or  
4 modification in the standards of this Resolution."

5 SECRETARY STACY: Something needs to be  
6 reworded.

7 MS. LAND: I think just a period after  
8 "zoning commission," and, then, just make, "A  
9 modification" a new sentence?

10 SECRETARY STACY: Yeah.

11 MS. LAND: Want to do it that way?

12 CHAIRPERSON TIMMERMAN: So it says,  
13 "Specifically permitted after review." So after that  
14 review, is, like, any similar cases also permitted?

15 MS. LAND: Exceptions generally are things  
16 that are standing on their own, something that has a  
17 unique function. So the chance of there ever being  
18 another one are pretty slim. But if you have given  
19 exceptions before, you go back and look and see if  
20 it's similar how you handled that when you handle the  
21 same.

22 But usually you don't need an exception if  
23 it's ever something that you see twice. You know,  
24 exceptions are the real odd things that just --



1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: You know, once I say that, then  
3 it could come up three times. But generally you  
4 don't --

5 SECRETARY STACY: Do we want to use the word  
6 "unique" or not?

7 MS. LAND: I wouldn't.

8 SECRETARY STACY: Okay.

9 MS. LAND: Because people could be offended  
10 by that. I don't know why, but it's one of those  
11 words that snowflakes get upset about.

12 SECRETARY STACY: All right.

13 CHAIRPERSON TIMMERMAN: Anything else off of  
14 Page 3?

15 MS. PARGEON: That looks pretty good, the  
16 rest of it.

17 SECRETARY STACY: And you've got to put a --  
18 insert a space between (unintelligible) and "floor  
19 area."

20 MS. LAND: Uh-huh.

21 MR. CORDONNIER: Definition of Farm. Other  
22 than kind of weird verbiage, "The carrying on of any  
23 agricultural activity." So if I have chickens on my  
24 2-acre lot, am I a farm?

1 MS. LAND: If you're doing it for profit,  
2 according to this, yes. However, the definition of  
3 Agriculture in the Ohio Revised Code is very  
4 extensive.

5 MR. CORDONNIER: Yeah.

6 MS. LAND: So I don't want to leave in,  
7 "...or the raising of livestock," because agricultural  
8 activity encompasses livestock.

9 SECRETARY STACY: Uh-huh.

10 MR. CORDONNIER: Yeah. I know farming and  
11 agriculture, like I said, are kind of unique birds.  
12 It just struck me as --

13 SECRETARY STACY: The carrying on.

14 MS. LAND: You know, the thing is we have a  
15 definition of farm, but we don't talk about farm  
16 anywhere else in all of this. We don't use that term  
17 anywhere. It's always Agricultural Use.

18 MR. CORDONNIER: Yeah.

19 CHAIRPERSON TIMMERMAN: So the definition  
20 doesn't matter.

21 MS. LAND: Do we even need the definition of  
22 a farm?

23 MS. PARGEON: Agriculture covers anything  
24 farm-related.

1 SECRETARY STACY: That's true. I think we  
2 can remove it.

3 MR. EVANS: As long as we don't have "farm"  
4 a lot of other places, yeah.

5 MS. LAND: I don't remember us using -- I  
6 think it's always Agricultural Use.

7 MR. CORDONNIER: Yeah.

8 MS. PARGEON: Uh-huh.

9 MS. LAND: Unless --

10 CHAIRPERSON TIMMERMAN: You don't define  
11 Agricultural Use --

12 SECRETARY STACY: Do we need to define  
13 Agriculture?

14 MS. LAND: No. No.

15 MS. PARGEON: It'd be a lot of words.

16 MS. LAND: That will get us into trouble no  
17 matter what we try.

18 SECRETARY STACY: Okay.

19 MS. LAND: Hold on a minute. I want to look  
20 in -- yeah. Farms and farming operations are  
21 permitted uses in Agricultural Use.

22 CHAIRPERSON TIMMERMAN: Leave it.

23 MS. LAND: Yes, leave it.

24 MS. PARGEON: Yay.

1 MR. EVANS: Be nice if you could reword it,  
2 though.

3 SECRETARY STACY: Uh-huh. "The carrying  
4 on," that's awkward.

5 MR. EVANS: Kind of written English.

6 SECRETARY STACY: Can you just say  
7 "agricultural activity"?

8 MS. LAND: How about "Any agricultural  
9 activity as a source of income"?

10 MS. PARGEON: Yeah.

11 SECRETARY STACY: That works.

12 MS. LAND: We took out the word  
13 "thoroughfare" everywhere and changed it to  
14 "street/road."

15 SECRETARY STACY: Yeah.

16 MS. LAND: Because nobody knows what a  
17 thoroughfare is.

18 SECRETARY STACY: Page 4.

19 CHAIRPERSON TIMMERMAN: I switched to  
20 Page 4.

21 SECRETARY STACY: Okay.

22 MS. PARGEON: What did you find?

23 SECRETARY STACY: No, I -- yeah, I'm on  
24 Page 4.

1           So Home Business and Home Occupation, that  
2 seems to have either the same or very similar wording.  
3 I had taken notes that I had put, A home business can  
4 be outside of the home and a home occupation is always  
5 inside the home; is that correct?

6           MS. LAND: Yes.

7           CHAIRPERSON TIMMERMAN: Would that be  
8 helpful in making a distinction between the two?

9           MS. LAND: No. We do in that last line.

10          SECRETARY STACY: Okay.

11          MS. LAND: It's incident -- "A home business  
12 is incidental and secondary to use as a premises as a  
13 dwelling purpose, and shall..." -- oh, no. That's not  
14 the one.

15                 It's, "...by immediate family members  
16 residing on the premises and conducted entirely on the  
17 premises."

18                 And home occupation is, "...residing in the  
19 dwelling and conducted entirely within the dwelling."

20          MR. EVANS: So "premises" and "dwelling" are  
21 the keys.

22          MR. CORDONNIER: I think both of them have a  
23 weird, "...by a member of an immediate family  
24 residing." "By an immediate family member." It

1 just -- "...by a member of an immediate family  
2 residing on the premises."

3 SECRETARY STACY: Yeah, it needs to be  
4 "member."

5 MR. CORDONNIER: Exclusively by an immediate  
6 family member residing on the premises.

7 MS. PARGEON: Immediate family owner  
8 residing on the premises.

9 MS. LAND: Doesn't have to be an owner.

10 CHAIRPERSON TIMMERMAN: It could be -- going  
11 back to the last meeting, a gentleman was asking about  
12 a home business, and, then, he said -- he was implying  
13 that, at some point, he's probably going to sell the  
14 business.

15 MS. LAND: You can't sell a home business  
16 because it's you doing it on your premises.

17 CHAIRPERSON TIMMERMAN: What if you sell the  
18 house with the business?

19 MS. LAND: Then it's somebody else's home  
20 business. But yeah. You can't -- they have to not  
21 just buy the house to have the business. It has to be  
22 secondary to it being their home.

23 CHAIRPERSON TIMMERMAN: Right.

24 MS. LAND: So they have to live there. The

1 person who is carrying on the business has to live  
2 there.

3 CHAIRPERSON TIMMERMAN: Does that have --  
4 does that kind of, by definition, have to be the owner  
5 of the business that lives there?

6 MS. LAND: Well, not necessarily. Because  
7 what if I rent the property, I live there, and I run  
8 the business there? I'm not the owner.

9 CHAIRPERSON TIMMERMAN: The person living on  
10 the property, do they have to be the owner of the  
11 business?

12 MS. LAND: Yes. It has to be their  
13 business.

14 MR. CORDONNIER: Or a family member. Yeah.

15 MS. LAND: It could be your kid's business,  
16 but they have to still live there with you. As soon  
17 as they move out, they can't keep the business there.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. LAND: So if you have -- if you're  
20 having a business where you live. It's not  
21 necessarily where you own. Where you live.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MR. CORDONNIER: The -- this is -- we ran  
24 into an issue on the interpretation of this.

1 "No commodity shall be sold on the premises,  
2 nor mechanical equipment used, the external effects of  
3 which may adversely affect the adjacent property."

4 I think we all -- one of our zoning  
5 inspectors interpreted it as no mechanical equipment  
6 could be used. And, then, I argued, the external  
7 effects of which. Like, you could have a small little  
8 press in your garage and do things as long as it  
9 doesn't externally -- I didn't know if there was some  
10 rewording.

11 MS. LAND: Well, if they just read the whole  
12 thing, I mean, instead of stopping halfway.

13 MR. CORDONNIER: Maybe it was just --

14 MS. PARGEON: Yeah. Right.

15 MR. CORDONNIER: Yeah.

16 MR. EVANS: Or is it kind of like, As long  
17 as the external effects do not adversely affect  
18 adjacent property?

19 MS. LAND: Well, then you're a little more  
20 solid than with "may adversely affect," because even  
21 though they have not adversely affected, they could,  
22 because they haven't started yet. They haven't  
23 affected anybody, but they may, once they start. Then  
24 it's something we have to put our foot down about.



1           If somebody comes along says, I want to have  
2 a machine shop where I'm, you know, grinding things  
3 all day, that could be a problem. They haven't  
4 started yet, so they have not affected their  
5 neighbors. But if they start, they will. And I like  
6 "may" better. It's up to you guys, but it gives you  
7 more flexibility.

8           MS. PARGEON: Well, sometimes you need  
9 flexibility.

10          MS. LAND: Especially with home business and  
11 home occupation. It's something that will be a  
12 colossal pain in the backside the entire time you're  
13 doing this.

14          MR. CORDONNIER: It is. I can confirm.

15          MS. PARGEON: Then leave "may" in there.

16          MS. LAND: It's that way in every township.

17          CHAIRPERSON TIMMERMAN: Okay.

18          MR. CORDONNIER: Dog grooming, haircutting,  
19 human haircutting.

20          MS. LAND: Then we have the Avon salesladies  
21 and the people who deliver things that they have  
22 Amazon trucks coming, you know, three times a day,  
23 dropping off big massive amounts of stuff. But we  
24 don't sell anything here. We take it in our car and

1 deliver it places.

2 MR. CORDONNIER: Yeah. Home occupation and  
3 home business are -- and, then, they're successful and  
4 they start wanting to expand.

5 MS. LAND: And hire people. That's a no-no.

6 CHAIRPERSON TIMMERMAN: They can't hire  
7 people?

8 MS. LAND: Huh-uh.

9 CHAIRPERSON TIMMERMAN: It's just you?

10 MS. LAND: Carried on by a family member  
11 residing on the premises.

12 MR. CORDONNIER: Yeah. The hiring of people  
13 gets --

14 MS. LAND: That's where it moves on to  
15 regular business, not a home business, and you've got  
16 to be in that area.

17 And you're not grandfathered because you're  
18 starting something different then. You have a lot of  
19 problems with -- well, this issue has come up a number  
20 of times. The contractors that have three or four  
21 guys who work with them. Then they have them come and  
22 they leave their trucks on their property, and, then,  
23 they all leave. Is that a home business? No, it's  
24 not doing anything there. You just have people

1 parking on his property. But neighbors complain  
2 always. They complain if that happens.

3 CHAIRPERSON TIMMERMAN: Is it worth calling  
4 out that it's only -- like, a person, business, that  
5 it's only the home, the owner.

6 MS. LAND: It does say that. "...by an  
7 immediate family member residing on the premises."

8 CHAIRPERSON TIMMERMAN: Okay. It does say  
9 "a."

10 MS. LAND: Now, it could be, you know, mom,  
11 dad, three kids all working at this one home business,  
12 as long as they're all living in the house. Then it's  
13 okay.

14 CHAIRPERSON TIMMERMAN: So everybody -- all  
15 employees.

16 MS. LAND: They're immediate family members  
17 residing on the property.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MR. CORDONNIER: Having outside employees  
20 is a --

21 MS. LAND: Big no.

22 CHAIRPERSON TIMMERMAN: That's the line.  
23 Okay.

24 Keep going then?

1 MS. PARGEON: Yeah.

2 CHAIRPERSON TIMMERMAN: Deb, do you have any  
3 more on that?

4 MS. LAND: Is the new Junkyard okay? The  
5 old Junkyard can go.

6 MR. EVANS: Is that supposed to say "located  
7 within 1,000 feet"? The red junkyard definition?

8 SECRETARY STACY: Is a junkyard the same as  
9 a salvage yard?

10 MS. PARGEON: A salvage yard  
11 is (unintelligible).

12 SECRETARY STACY: Because there may be  
13 people, if they own a salvage yard, they may be --  
14 take offense.

15 MS. LAND: That it's called a junkyard?

16 SECRETARY STACY: Yeah.

17 MS. LAND: But if they fit the definition.  
18 You could call a duck a swan, but it's still a duck.

19 SECRETARY STACY: Would we want to say  
20 junk/salvage yard, or is that getting too --

21 MR. CORDONNIER: To me, salvage yard is  
22 synonym for junkyard. I think they're the same thing.

23 SECRETARY STACY: Okay. But it has a nicer  
24 connotation.

1 MS. LAND: So you want to make it  
2 junk/salvage yard?

3 SECRETARY STACY: Yeah.

4 MR. EVANS: I think I know what salvage is.  
5 Junk can be, I think, a broader definition. What's  
6 that -- one man's junk --

7 MS. PARGEON: Is another man's treasure.  
8 Yeah.

9 MR. EVANS: Salvage, I understand what that  
10 is.

11 SECRETARY STACY: But it says, "...includes  
12 scrap metal processing." So if you have wrecked  
13 vehicles -- I mean, if you have wrecked vehicles, is  
14 it a salvage yard? And if you just have a selection  
15 of odds and ends, is it a junkyard?

16 MS. PARGEON: Well, a salvage yard is parts  
17 are taken off and used for other vehicles. A junkyard  
18 is a junkyard. It's just there.

19 MS. LAND: Oh, people go to junkyards and  
20 get parts for vehicles, too.

21 MS. PARGEON: Right. Uh-huh.

22 MS. LAND: I think salvage and junkyards are  
23 synonymous. They are the same thing. I think -- I'm  
24 trying to recall. I think I got the definition of

1 junkyard from the Ohio Administrative Code and that's  
2 why it's been kind of a touchy subject. That's where  
3 this red one came from.

4 MR. EVANS: The 1,000 feet of the nearest  
5 edge.

6 MS. LAND: Yeah. That came from that, too.  
7 It had to do with highways. That's up to you guys if  
8 you want to keep something like that.

9 MR. EVANS: So if it's over 1,000 feet away,  
10 then it's not a junkyard?

11 MS. LAND: No. They just can't be closer  
12 than 1,000 feet.

13 MR. EVANS: Oh, I got ya.

14 MS. PARGEON: Yeah. They can't expand out  
15 to the roadside.

16 SECRETARY STACY: I think there's something  
17 to be said about having some setback from a road for  
18 something like that.

19 CHAIRPERSON TIMMERMAN: It says that our --  
20 that our -- well, it says, "...that are located within  
21 1,000 feet of the nearest edge of the road -- the  
22 right-of-way."

23 MS. LAND: Uh-huh.

24 CHAIRPERSON TIMMERMAN: So that's less than

1 junkyard, if it's inside of that. Outside of that,  
2 it's not a junkyard.

3 MS. LAND: Take that 1,000 feet thing out?

4 MR. EVANS: I think that just confused me.  
5 But...

6 SECRETARY STACY: If you want a setback, I  
7 guess you would talk about that in --

8 MR. EVANS: The setbacks.

9 SECRETARY STACY: -- the Conditional Uses or  
10 Setbacks, right?

11 MR. EVANS: Yeah.

12 MR. CORDONNIER: I assume junkyards are only  
13 permitted in I-2, so yeah. I actually read that as a  
14 1,000-foot setback, but that's what my brain  
15 translated it to.

16 MS. LAND: That's what I thought it was,  
17 too, and that's what came out of the Administrative  
18 Code. I'm not saying the Administrative Code is  
19 always written nicely because it's often not written  
20 by attorneys.

21 MR. CORDONNIER: I think we take that out.  
22 I think that just confuses things.

23 MS. LAND: Okay. So it will end with,  
24 "...includes scrap metal processing facilities,"

1 period.

2 SECRETARY STACY: Okay.

3 MS. PARGEON: The landfills, sanitary  
4 landfill, should that be liners instead of loaners?

5 SECRETARY STACY: Loaners.

6 MS. LAND: Oh, yeah.

7 SECRETARY STACY: Synthetic bottom liners.

8 MS. LAND: Completely different content  
9 there.

10 MR. CORDONNIER: I'm horrible at this. My  
11 brain just fills in the right word. I read that and  
12 it never even crossed my mind.

13 SECRETARY STACY: That's because you're a  
14 context reader.

15 MS. LAND: That's why when they're proofing  
16 they read backwards.

17 MS. PARGEON: Okay. It goes a little bit  
18 further, it says "R-E-S."

19 CHAIRPERSON TIMMERMAN: She already got  
20 that.

21 MS. PARGEON: We got that. Okay.

22 CHAIRPERSON TIMMERMAN: Rest of environment.

23 SECRETARY STACY: We got it. Good.

24 CHAIRPERSON TIMMERMAN: Anything else on



1 Page 4?

2 SECRETARY STACY: Just -- yeah. Take care  
3 of spacing as you go, too.

4 MS. LAND: Yeah.

5 SECRETARY STACY: When -- the second  
6 paragraph, when it talks about a zoning lot, "A zoning  
7 lot, therefore, may not coincide with a lot of record  
8 as filed with the county reorder." Again --

9 MS. LAND: Where is that?

10 SECRETARY STACY: We need a "C."

11 MR. EVANS: Second paragraph down.

12 SECRETARY STACY: County recorder.

13 MS. LAND: Under what? Lot lines?

14 SECRETARY STACY: Zoning lot.

15 MS. LAND: Oh, zoning lot.

16 SECRETARY STACY: Okay. It should say, "The  
17 county recorder." We need a "C" inserted. Right now  
18 it's like "reorder." County reorder.

19 MS. LAND: Okay.

20 SECRETARY STACY: "But may include one or  
21 more lot of record." Okay. I guess I'm trying to  
22 wrap my brain around that concept. So...

23 MS. LAND: Do we have a definition of  
24 "Single Tract"?

1 CHAIRPERSON TIMMERMAN: I don't remember  
2 that one.

3 SECRETARY STACY: Huh-uh.

4 MS. LAND: Huh-uh.

5 CHAIRPERSON TIMMERMAN: No.

6 MS. LAND: We've run into some issues in  
7 Washington Township with the definition of what a  
8 single tract of land is. By them trying to say that  
9 because they're touching by the corners, that now they  
10 are a single tract, and they -- do we want to keep  
11 this this way?

12 MR. CORDONNIER: I was focused on corner  
13 lot. So are they saying --

14 MS. LAND: Could be multiple parcels.

15 MR. CORDONNIER: -- like, two parcels, same  
16 owner, and they touch?

17 MS. LAND: One zoning lot.

18 MR. CORDONNIER: And they touch, and it's --  
19 I mean, I don't agree with that.

20 MS. LAND: I don't either.

21 MR. CORDONNIER: I've never -- I've not come  
22 across that, but I can see --

23 MS. LAND: "A single tract of land which, at  
24 the time of filing of the zoning is designated by..."

1           On the other hand, let me think. If you  
2 have property that's put together by a number of tiny  
3 little slivers that become one parcel, most of them  
4 aren't going to be buildable unless we combine them  
5 into one.

6           MR. CORDONNIER: Yeah.

7           MS. LAND: Although, my preference is to  
8 have them go to the auditor's office and have that  
9 parcel -- the small one abandoned and one parcel made  
10 of all of it. It's cleaner for the county records,  
11 too.

12          MR. CORDONNIER: That's -- we make them go  
13 to the auditor's office.

14          MS. LAND: You're kind of facilitating  
15 leaving things sloppy by allowing this to be in here.

16          MR. CORDONNIER: Which definition is it?

17          MS. LAND: "Lot Zoning."

18          MR. CORDONNIER: Yeah, I don't like that.  
19 You are facilitating this --

20          MS. LAND: Messy situation.

21          MR. CORDONNIER: Yeah.

22          MS. LAND: The only time it's going to be a  
23 real problem for somebody is if they go over section  
24 lines because they won't let them combine in section

1 lines.

2 MR. CORDONNIER: Yeah.

3 MS. LAND: And, then, they might not have  
4 their 2 acres to be able to build on if they are  
5 straddling a section line.

6 CHAIRPERSON TIMMERMAN: What's a section  
7 line?

8 MR. CORDONNIER: Like up here (indicating).

9 MR. EVANS: The squares.

10 MS. LAND: Down here, like, the smaller one  
11 down. Like, 13, 14, 11, 12.

12 CHAIRPERSON TIMMERMAN: Oh, down here?

13 MS. LAND: Yeah. It's, like, this is a  
14 section. If you're, like, straddling a section here,  
15 and you have part on each side, you can't combine that  
16 into one parcel; it has to be parcels of two separate  
17 sections.

18 But if you have, like, two or three small  
19 parcels here in this section that you want to build  
20 on, now they're saying you can take that -- do the  
21 outline of it and decide, Oh, you have a big enough  
22 parcel to do what you want. It's at issue.

23 CHAIRPERSON TIMMERMAN: Can we just make a  
24 note that says that, All parcels are inside of one

1 section; they must be joined first?

2 MR. CORDONNIER: Or if you change -- if you  
3 keep "Zoning Lot," and just only for circumstances  
4 where --

5 MS. LAND: We'll have to identify what those  
6 circumstances are.

7 MR. CORDONNIER: Just -- this is not -- in  
8 rough wording where section lines prevent the join --  
9 the joining of two lots.

10 CHAIRPERSON TIMMERMAN: Wouldn't that be  
11 a -- grounds to grant a variance?

12 MS. LAND: Could be.

13 MR. CORDONNIER: Yeah. I would consider  
14 that.

15 CHAIRPERSON TIMMERMAN: So if you get rid of  
16 it, then they're forced to join the lot, except for  
17 this scenario.

18 MS. LAND: Or they basically would have to  
19 ask for a variance because it's not of their making;  
20 it's on both sides. And it would --

21 MR. CORDONNIER: It's a technicality, the  
22 section line issue.

23 MS. LAND: Yeah. And that's something  
24 that's a legitimate use of the variance.

1 CHAIRPERSON TIMMERMAN: Right.

2 MS. LAND: Want to take "zoning lot" out?

3 MR. CORDONNIER: Yeah, I think so.

4 CHAIRPERSON TIMMERMAN: Seems like it makes  
5 sense then.

6 SECRETARY STACY: Does that include the  
7 paragraph underneath it?

8 MS. LAND: Yeah.

9 SECRETARY STACY: Okay. This is all part of  
10 it?

11 MS. LAND: Yeah.

12 SECRETARY STACY: All right.

13 CHAIRPERSON TIMMERMAN: What's the  
14 definition of "Single Tract" then?

15 MS. LAND: One parcel.

16 CHAIRPERSON TIMMERMAN: One parcel.

17 SECRETARY STACY: So do we need -- do we  
18 have that?

19 MS. LAND: I don't think we need to have  
20 that because we're just, by default, if the parcel is  
21 a tract.

22 SECRETARY STACY: Okay.

23 CHAIRPERSON TIMMERMAN: Yeah.

24 MS. LAND: Yeah. The deal in Washington

1 Township is not only going over section lines, it's  
2 going over county lines.

3 MS. PARGEON: Wow.

4 MS. LAND: Part in Seneca and part in  
5 Hancock. We're going to have to spend a lot of money  
6 litigating that it is not one tract.

7 SECRETARY STACY: Okay.

8 MS. PARGEON: So they can have one foot in  
9 each county.

10 MS. LAND: Pretty much.

11 CHAIRPERSON TIMMERMAN: All right. Anything  
12 further down?

13 SECRETARY STACY: Going to add on No. 2.

14 MS. LAND: On Manufactured Homes. Where are  
15 you at?

16 SECRETARY STACY: Oh, No. 2 under Lot Lines,  
17 you're going to put a space in between "in the case".

18 MS. LAND: Oh, yeah. Oh, that word "in"  
19 isn't even there. It's a weird thing.

20 MS. PARGEON: So it's not an "N." It's just  
21 "the case"?

22 MS. LAND: I don't know what I just did, but  
23 I did something pretty bad. Okay. "In the case of."

24 CHAIRPERSON TIMMERMAN: Cindy, up there, the

1 whole -- there's, like, four definitions that are Lot  
2 Area, Lot Coverage, Lot Depth, Lot Line. Similarly,  
3 you have Feeder Road early, and it says, "A street or  
4 road." And, then, now we're at "major road/street."

5           Would it make sense to create a road/street,  
6 and then have "major and feeder" together? Is it  
7 helpful to --

8           MS. LAND: We can do that.

9           CHAIRPERSON TIMMERMAN: -- move them to the  
10 same area?

11          MR. CORDONNIER: That would be --

12          SECRETARY STACY: Yeah.

13          MS. LAND: Do you want them like we have  
14 Lot, comma, Corner Lot, comma --

15          CHAIRPERSON TIMMERMAN: Sure.

16          MS. LAND: -- Interior?

17          CHAIRPERSON TIMMERMAN: Yeah.

18          MS. LAND: We do "road/street," comma,  
19 "major feeder," gotcha.

20          CHAIRPERSON TIMMERMAN: Yeah.

21          MS. LAND: Manufactured Home. We currently  
22 have -- I combined Manufactured and Mobile Home  
23 because --

24          CHAIRPERSON TIMMERMAN: That was just a date



1 thing, wasn't it?

2 MS. LAND: It had to do with dates and it  
3 made no sense. They're the same thing. They called  
4 them different things after a change in the code.

5 But there is a code section in zoning that  
6 says that, if a manufactured home or a mobile home is  
7 permanently affixed to a foundation, it becomes a  
8 building, not a mobile home anymore.

9 So I don't think we can leave this and use  
10 "with or without a permanent foundation." It will  
11 have to be "without a permanent foundation" because  
12 once it has a permanent foundation --

13 CHAIRPERSON TIMMERMAN: Sure.

14 MS. LAND: -- it's no longer a mobile or  
15 manufactured home.

16 MS. PARGEON: Manufactured.

17 SECRETARY STACY: Right.

18 CHAIRPERSON TIMMERMAN: Does it make sense  
19 to add that into the definition that once it's on a  
20 permanent foundation it's a building? Or does that  
21 add clutter, I guess?

22 MS. LAND: I think it's clutter.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MS. LAND: So it will say, "A structure of

1 vehicular, portable design built on a chassis and  
2 designed to be moved from one site to another and to  
3 be used without a permanent foundation."

4 Is that okay?

5 CHAIRPERSON TIMMERMAN: Yeah.

6 Modular Home. House built in a factory.

7 MS. LAND: Uh-huh.

8 CHAIRPERSON TIMMERMAN: Is this where, like,  
9 it's, like, a lot of little pieces brought in  
10 together?

11 MS. LAND: No, they bring in big chunks.

12 CHAIRPERSON TIMMERMAN: Okay. In your  
13 definition, it says, "...where craned into place."

14 MS. LAND: Uh-huh. They are.

15 MS. PARGEON: And it's neat to watch.

16 CHAIRPERSON TIMMERMAN: They actually have  
17 to be craned in? They're not set into place?

18 MS. LAND: Huh-uh. They come in on a  
19 flatbed and they have to pick up a half a house and  
20 put it on a site.

21 CHAIRPERSON TIMMERMAN: Okay. I just --  
22 I didn't want it to be a technicality where --

23 MS. LAND: They come in, and they're going  
24 to roll -- maybe they're rolling it off, or --

1 CHAIRPERSON TIMMERMAN: That's kind of the  
2 direct -- if you're lifting the house up off of the  
3 platform and driving the trailer out and setting it  
4 down, there's not a crane involved. I'm just curious  
5 if that -- the crane be called out specifically, if  
6 it's a problem.

7 MS. LAND: Okay.

8 CHAIRPERSON TIMMERMAN: I don't know the  
9 tech -- I don't know how it all works. I'm just --

10 MS. LAND: This was a Google definition,  
11 too.

12 CHAIRPERSON TIMMERMAN: Sure.

13 MS. LAND: That came from the Modular Home  
14 Builders of the World website. Whatever that was.

15 SECRETARY STACY: How about, "...are often  
16 craned into place"? No?

17 MS. PARGEON: Ours was slid into place.

18 MS. LAND: (Unintelligible) "...sections are  
19 placed and installed on a permanent foundation."

20 CHAIRPERSON TIMMERMAN: Sure.

21 MS. PARGEON: Yeah.

22 MS. LAND: And that way it doesn't matter  
23 how they get placed there.

24 MR. CORDONNIER: Yeah. I was going to say,

1 I don't care how it got there.

2 CHAIRPERSON TIMMERMAN: Yeah.

3 MS. PARGEON: As long as it got there.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: So should we ask them if this is  
6 as boring as the parking conversation or --

7 CHAIRPERSON TIMMERMAN: Seeing as how  
8 they're chatting, I think we know the answer.

9 MS. LAND: (Unintelligible) conversation  
10 with this one?

11 SECRETARY STACY: They're bored to death.

12 CHAIRPERSON TIMMERMAN: Are you bored?

13 FROM THE FLOOR: No, we're just talking  
14 about other ways of moving large things.

15 CHAIRPERSON TIMMERMAN: Okay.

16 FROM THE FLOOR: I just had a 12 by 20 shed  
17 fully assembled; they rolled it off of a flatbed as  
18 you were saying. He had this pallet jack on steroids  
19 that picked it up and he moved it 300 feet around --  
20 you know, over, back, and around --

21 MS. LAND: Yeah.

22 FROM THE FLOOR: -- to put it in place.

23 So...

24 MS. PARGEON: That's really neat, isn't it?

1 FROM THE FLOOR: It is neat. They don't  
2 necessarily need a crane, I guess, is my point.

3 MS. LAND: Taking that off there and just  
4 placed and installed on a permanent foundation should  
5 cover all of that.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MS. PARGEON: Did you have a top on it?  
8 Upstairs in it, too?

9 MS. LAND: We thought we were -- we would  
10 probably bore you guys to tears when we did the  
11 parking, but I think we're going to get close tonight.

12 FROM THE FLOOR: No, this one is actually a  
13 little exciting.

14 FROM THE FLOOR: The map was pretty boring,  
15 I have to say.

16 FROM THE FLOOR: You guys had it on the  
17 table. We're, like, No, what's going on?

18 MR. EVANS: Should have had a camera up  
19 here.

20 CHAIRPERSON TIMMERMAN: Page 6, the only  
21 thing red that I see is the public utility and I think  
22 that's the exact same definition that was already in  
23 there. So I guess my point is I don't know that it  
24 needed to be red.

1 MS. LAND: Okay.

2 MR. CORDONNIER: Off-Street Parking Lot.

3 I might -- maybe at the end, put a comma just --

4 "...and not located in the public right-of-way."

5 MS. LAND: "A facility providing vehicular  
6 parking spaces along adequate drives and aisles for  
7 the parking of more than three vehicles," comma, "and  
8 not..." is that what you mean?

9 MR. CORDONNIER: Yeah. "And not located in  
10 the public right-of-way."

11 I don't know if there needs to be a comma.  
12 I was never good at English. Yeah.

13 MS. LAND: It's a clause; it's not a  
14 continuation.

15 MR. CORDONNIER: Recreational Vehicle. This  
16 is just more grammatical that -- "...designed for  
17 temporary occupancy," rather than "...designed for  
18 temporary living."

19 MS. LAND: "Vehicle or unit that is mounted  
20 on or drawn by another vehicle."

21 We're talking about -- when we say "motor  
22 homes," we're talking about the vehicle. Then we say,  
23 "...or a unit that is mounted on or drawn by another  
24 vehicle." We're talking about campers and truck

1 campers, right? Is that clear enough?

2 MS. PARGEON: Yeah. Yeah.

3 MS. LAND: Okay. Did you get the sign from  
4 (unintelligible)?

5 MR. CORDONNIER: No. Are we meeting  
6 Tuesday?

7 CHAIRPERSON TIMMERMAN: Tuesday? No.

8 SECRETARY STACY: No.

9 MR. CORDONNIER: No. Do we have more  
10 meetings scheduled?

11 CHAIRPERSON TIMMERMAN: One.

12 MR. CORDONNIER: One. Okay.

13 CHAIRPERSON TIMMERMAN: Pressure's on.

14 MR. CORDONNIER: I know.

15 CHAIRPERSON TIMMERMAN: And --

16 SECRETARY STACY: Monday's a holiday.

17 MR. CORDONNIER: Yeah.

18 CHAIRPERSON TIMMERMAN: And my

19 Conditional --

20 MR. CORDONNIER: Yeah. Yeah.

21 CHAIRPERSON TIMMERMAN: Come on, Matt.

22 MR. CORDONNIER: Yeah. So we're meeting a  
23 week from today?

24 SECRETARY STACY: Correct.

1 MR. CORDONNIER: Today's Thursday, right?

2 MS. PARGEON: So next Thursday.

3 SECRETARY STACY: That will probably be it.

4 MR. CORDONNIER: I'll get it to Cindy,

5 and --

6 MS. LAND: I can email it out when I send --

7 MR. CORDONNIER: Then we can -- so people  
8 can look at it, and, then, we can discuss it.

9 MS. LAND: Yeah.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: We're creating more stuff that  
12 we're going to have to produce and give to people who  
13 ask for everything you guys have seen via any kind of  
14 electronic means, but we don't have any choice right  
15 now. So just more copies to make.

16 CHAIRPERSON TIMMERMAN: Do we have time for  
17 any more meetings?

18 MS. LAND: We could.

19 CHAIRPERSON TIMMERMAN: Okay. We'll discuss  
20 that at the end, I guess.

21 MR. CORDONNIER: My wife votes no.

22 (Laughter.)

23 MS. LAND: I thought my husband and son  
24 would be, like, no, too. But they are, like, "Oh,



1 you're going to be home tonight?" No B-Dubs for them.  
2 It's buy one/get one. It's BOGO.

3 SECRETARY STACY: Okay.

4 MS. LAND: It's become a Thursday tradition  
5 apparently that I didn't know about.

6 Surface Area I'm going to go ahead and turn  
7 black; is that right?

8 CHAIRPERSON TIMMERMAN: Yeah.

9 MR. EVANS: Uh-huh.

10 CHAIRPERSON TIMMERMAN: And Variance, I  
11 think that's the same -- the same definition that was  
12 in there before as well.

13 SECRETARY STACY: About a third of the way  
14 down.

15 MS. LAND: Temporary Use.

16 SECRETARY STACY: That's a typo.

17 MS. LAND: Bullhorn. Wonder why it didn't  
18 catch it as misspelled.

19 SECRETARY STACY: (Unintelligible) Spell  
20 Check. That's just me.

21 MS. LAND: Yeah. Well, it's still not  
22 tagging it as wrong. It's still spelled wrong.

23 SECRETARY STACY: So do it the old-fashioned  
24 way. You don't know how to spell and you see it.

1 MS. LAND: How do you spell  
2 T-E-M-P-O-R-A-R-Y?

3 MS. PARGEON: Yes. Bingo.

4 MS. LAND: Yeah, that's right. Sure doesn't  
5 look right.

6 SECRETARY STACY: I know. I have that  
7 happen. Yeah.

8 MS. LAND: Variance. We're okay with as is?

9 SECRETARY STACY: I have -- we had talked  
10 about that the property owner cannot create the  
11 hardship.

12 MS. LAND: Right. Do you want to add,  
13 "...undue hardship not created by the property owner"?

14 SECRETARY STACY: Yes. Yes. Because it --  
15 for some -- that did sink into my brain.

16 MS. LAND: And this happens all the time.

17 SECRETARY STACY: Did that sink into your  
18 brain, anyone else? Cannot create your own hardship.

19 FROM THE FLOOR: Don't tell me how to live  
20 my life.

21 SECRETARY STACY: Huh?

22 FROM THE FLOOR: Don't tell me how to live  
23 my life.

24 MS. LAND: You'll get variance requests for

1 ponds in the front yard because people put their  
2 houses way, way back on the back of their lot.

3 SECRETARY STACY: Right. Right.

4 MS. LAND: They've created that hardship; we  
5 can't, you know, change it. That's not a reason to  
6 get a variance. That's the one you're going to hear  
7 the most. Or people who want to put an accessory  
8 building in the front yard because the house is set  
9 way back on the lot.

10 SECRETARY STACY: Right.

11 MR. CORDONNIER: You won't like this one.  
12 But my experience is 90 percent of variances granted  
13 wouldn't be granted if you followed the strict  
14 interpretation of the guidelines.

15 MS. LAND: Depends on if they ask me. If I  
16 give them advice.

17 FROM THE FLOOR: I've got a question. So  
18 wonder if your lot is parceled weird because you have  
19 an easement because of a gas line underneath your  
20 property, and you have to put your house back farther  
21 so the house would fit on the property. Then wouldn't  
22 that be granted because you're technically having --

23 CHAIRPERSON TIMMERMAN: You didn't create  
24 the hardship. The gas line was already there.

1 MS. LAND: But you can't dig a pond over a  
2 gas line either.

3 FROM THE FLOOR: No, I know. But where are  
4 you going to --

5 (Unreportable cross-talk.)

6 FROM THE FLOOR: You put your house, and,  
7 then, your pond back there. That fits. But, now, you  
8 can't put, like, a, you know, a shed or a barn because  
9 it can't fit back there, but it can fit in the front  
10 because you have open space.

11 MS. LAND: Then that -- when you made your  
12 case for the variance, you have to explain why it  
13 wasn't your doing that it caused a -- you get that --  
14 we'll get that kind of thing, too, weird shaped lots  
15 where they're too skinny at one point and you have to  
16 do something funky.

17 FROM THE FLOOR: Mine's weird.

18 MS. LAND: Or ditches. A ditch that runs  
19 through a lot, they can change where setbacks can be.  
20 Yeah, those kind of things are reasons for variance.

21 FROM THE FLOOR: Oh, okay.

22 MS. LAND: Not that you know anybody with a  
23 gas line.

24 FROM THE FLOOR: Pretty exciting.

1 MS. LAND: Okay. Are you okay with this,  
2 then, with adding, "...not created by the property  
3 owner"?

4 MS. PARGEON: Uh-huh.

5 MS. LAND: I'm turning it to black.

6 Okay. Ready to move on to the next section?

7 CHAIRPERSON TIMMERMAN: Yes.

8 SECRETARY STACY: Uh-huh.

9 CHAIRPERSON TIMMERMAN: First thing, Article  
10 3. Everywhere else it's a Roman numeral, not a  
11 number.

12 MS. LAND: I can't get the thing to open.

13 CHAIRPERSON TIMMERMAN: You've got all --  
14 every one in a separate document?

15 MS. LAND: Yeah, I had to. Otherwise,  
16 things were getting lost, and --

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: -- written over and it was not  
19 good.

20 CHAIRPERSON TIMMERMAN: And, then --

21 MS. LAND: Okay. Now, here's another  
22 question that's going to sound weird, mundane. Do you  
23 want a different font? Because this font has the Is  
24 and the 1s look somewhat similar. Is that going to be

1 an issue for anybody?

2 CHAIRPERSON TIMMERMAN: The 1s have the  
3 lines with it.

4 MS. LAND: Right.

5 SECRETARY STACY: I -- maybe change the  
6 font. I mean, I want it to be --

7 MS. LAND: These all have Is instead of 1s  
8 on here.

9 MR. EVANS: If you look at Light Industrial,  
10 I-1.

11 CHAIRPERSON TIMMERMAN: It's A-I.

12 SECRETARY STACY: Yeah.

13 CHAIRPERSON TIMMERMAN: Now this is I-1.

14 SECRETARY STACY: I see. Okay. Yeah.

15 CHAIRPERSON TIMMERMAN: Yeah. You probably  
16 should do something about that. Or not.

17 MS. PARGEON: What's it gonna be?

18 CHAIRPERSON TIMMERMAN: Okay. Does it --  
19 does it matter at the end, like, legally or any --

20 MS. LAND: Oh, legally, no. Huh-uh.

21 CHAIRPERSON TIMMERMAN: Nobody cares?

22 MS. LAND: I don't care.

23 CHAIRPERSON TIMMERMAN: I'm pretty sure we  
24 all read it as A-1 --

1 MS. PARGEON: Yeah.

2 CHAIRPERSON TIMMERMAN: -- even though it's  
3 A-I.

4 MS. LAND: I'm going to do my very best to  
5 go through and make sure that all the -- when this  
6 document got switched over from a PDF to a -- it  
7 turned all of the ls to Is.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. LAND: And all of the Ms to RNs  
10 together, and I had to go through and do a lot of  
11 fixing, and I missed these, is why I brought it up.  
12 I'll make sure that they are all --

13 CHAIRPERSON TIMMERMAN: Did you see that B-3  
14 needs to be moved down?

15 SECRETARY STACY: Yeah. To be in the --  
16 because it -- you have B-2, and, then, you have B-3,  
17 like, all on the same line.

18 MS. LAND: Oh, yeah. I'm just fixing that.  
19 Didn't even realize it's on the wrong line.

20 SECRETARY STACY: So that you can just go  
21 down.

22 MS. LAND: Yeah. Got --

23 MR. EVANS: Is "boundaries" spelled  
24 correctly? Some reason it just looks weird. Maybe

1 it's just me. Is it? Seems like the "A" shouldn't be  
2 there or something. I don't know. Maybe.

3 SECRETARY STACY: I think it's correct.

4 MR. EVANS: Is it?

5 SECRETARY STACY: I-E? Yeah, I think it's  
6 correct.

7 MS. LAND: It's correct.

8 MR. EVANS: Is it? Okay.

9 SECRETARY STACY: I -- sometimes words that  
10 are --

11 MR. EVANS: Looks like "bound dairies."

12 MS. PARGEON: Yeah. Yeah, it does.

13 MS. LAND: When they're all in caps, they  
14 often look odd.

15 SECRETARY STACY: Yeah.

16 MS. PARGEON: Because there are some small  
17 letters spelled the same way.

18 MS. LAND: "...of the right-of-way" gets to  
19 stay and gets turned black; is that right? On  
20 paragraph -- sub paragraph 1, under Section 302.

21 SECRETARY STACY: Oh.

22 CHAIRPERSON TIMMERMAN: Yeah.

23 MS. LAND: Boundaries and approximate  
24 centerlines -- wait a minute. I'm not sure I like



1 this. "...of streets, highways, alleys shall be  
2 (unintelligible) centerlines of the..." --

3 CHAIRPERSON TIMMERMAN: "...of the  
4 right-of-way." Your -- the point was that the street  
5 might not be in the center.

6 MS. LAND: In center. Yeah.

7 CHAIRPERSON TIMMERMAN: So...

8 MS. LAND: This is a bit of a problem  
9 because -- and people always say, "I own to the middle  
10 of the road." They own to the middle of the  
11 right-of-way. So they don't own the whole road, you  
12 know, so that's a problem.

13 And if it's, you know, a 40-foot  
14 right-of-way, you got a 20-foot road that's right on  
15 the one edge, and you count that as the center, this  
16 guy over here is getting 10 extra feet for where his  
17 setback should be. He's too close. And this guy has  
18 to go 10 extra feet eating up more of his property.  
19 That's not the way we should have that written.

20 It should be, "Boundaries indicated as  
21 approximately following the centerlines of streets,  
22 highways, or alleys shall be construed to follow..."  
23 -- well, no. Maybe we do have that right.

24 MS. PARGEON: Said centerlines of the

1 right-of-way. Yes.

2 MS. LAND: Centerlines of the right-of-way,  
3 not the centerline of the road. That's why we added  
4 "of the right-of-way."

5 So if you're going along here and you have  
6 B-3 that -- and, then, beside it, you have the -- like  
7 that purple and the orange, you know.

8 CHAIRPERSON TIMMERMAN: Here.

9 MS. LAND: Yeah. And they're basically  
10 separated by the road, which would be the center of  
11 the road, but we're saying it's center of the  
12 right-of-way, not the road. So if the road is not --

13 CHAIRPERSON TIMMERMAN: This is for setbacks  
14 or is this for --

15 MS. LAND: No. This is for boundary.  
16 District boundaries, determining where they are.

17 CHAIRPERSON TIMMERMAN: Yeah.

18 MS. LAND: You guys okay with that then?  
19 I confused myself and I confused everybody else. And  
20 I'm sorry. Yeah.

21 CHAIRPERSON TIMMERMAN: Sorry. See you can  
22 reach past that waypoint.

23 MS. LAND: The Zoning Vacated Areas, you  
24 guys understand that part? If an area -- if there are

1 alleys or roads, a lot of times there are roads that  
2 get vacated because they are, you know, stub roads or  
3 something, when you vacate a road, it gets cut down  
4 through the middle of the right-of-way and they get  
5 attached to each -- properties right beside it. So if  
6 you were to vacate that road between, say, the B-2 and  
7 B-3 area, it would get split down the middle and  
8 they'd automatically get zoned to those areas.

9 CHAIRPERSON TIMMERMAN: Gotcha.

10 MS. LAND: The new area would get zoned and  
11 you don't have to do anything about it. This is just  
12 saying it automatically picks up the zoning it's  
13 attached to.

14 SECRETARY STACY: Okay.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MS. LAND: Which it's good.

17 CHAIRPERSON TIMMERMAN: Is it split down the  
18 middle of the road or the right-of-way?

19 MS. LAND: Right-of-way.

20 MR. CORDONNIER: Another misconception is,  
21 I've got a 2-acre lot zoned Commercial, and I split a  
22 lot near it, and I join it to that 2-acre commercial  
23 lot, the underlying zoning doesn't change. People --

24 CHAIRPERSON TIMMERMAN: It still stays where

1 it was at? Is that what you're saying?

2 MR. CORDONNIER: Yeah. So changing the  
3 property lines doesn't change --

4 MS. LAND: Like that --

5 MR. CORDONNIER: -- the zoning.

6 MS. LAND: -- part we were talking about  
7 earlier, the white space there between where the city  
8 is.

9 CHAIRPERSON TIMMERMAN: Oh, here?

10 MS. LAND: Yeah. If somebody buys that,  
11 attaches it to the purple spot, it's still a white  
12 spot and a purple spot. It's not all one big purple  
13 spot.

14 CHAIRPERSON TIMMERMAN: Okay. I like how we  
15 got technical with it.

16 MS. LAND: We don't have a lavender section.

17 CHAIRPERSON TIMMERMAN: I did read the side  
18 of the marker and it was purple. It was not lavender.

19 MS. LAND: Good. I have the section about  
20 Article 15 and Article 16 red, just so I can go back  
21 and make sure that the numbers are the right ones that  
22 coincide since we're changing some numbers around.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MS. LAND: That's all of that one.

1 CHAIRPERSON TIMMERMAN: We are at 7 till  
2 7:00. I'm good to keep going.

3 SECRETARY STACY: I am, too.

4 MR. CORDONNIER: I'm going to leave at 7:00,  
5 catch the last couple of innings of my son's baseball  
6 game. And I'm his transportation home. So...

7 MS. PARGEON: And you'd like him to make it  
8 home.

9 MR. CORDONNIER: Well, I don't want to -- I  
10 don't want it to be a run rule, and, then, Where's my  
11 ride?

12 CHAIRPERSON TIMMERMAN: So Agricultural?

13 MS. PARGEON: Uh-huh.

14 SECRETARY STACY: Yeah.

15 CHAIRPERSON TIMMERMAN: A-I District.

16 MS. LAND: This is A-I?

17 CHAIRPERSON TIMMERMAN: At the top it is.

18 MS. PARGEON: Yeah.

19 MS. LAND: It does. Doggone it. A-1.

20 MR. CORDONNIER: I'm not adamant about this,  
21 but a lot of the Agricultural Districts I've seen have  
22 single family as a permitted use rather than a  
23 conditional use. It's not a big deal either way.

24 CHAIRPERSON TIMMERMAN: A condition, I

1 think, wasn't it just the lot size more or less?

2 MR. CORDONNIER: Well, that should be  
3 handled in your chart.

4 MS. LAND: I think it came from being a  
5 conditional use because then they had to prove that  
6 they -- before it was for every 20 acres they got one  
7 building lot. You took that out and made it just  
8 2 acres. So you could take it out of Conditional Uses  
9 and move it up into a Permitted Use.

10 MR. CORDONNIER: And I would take out the  
11 part about the frontage because that's addressed in  
12 the chart.

13 MS. LAND: Right.

14 MR. CORDONNIER: And I would probably say  
15 the same about the accessory structures.

16 CHAIRPERSON TIMMERMAN: Accessory  
17 structures.

18 MR. CORDONNIER: Single-family detached --  
19 wait. Single-family detached dwellings, not accessory  
20 to farming operations. I would just -- I would  
21 scratch -- I don't know.

22 MS. LAND: I don't think we need that --

23 MR. CORDONNIER: No.

24 MS. LAND: -- if we're just going to have a

1 2-acre building lot.

2 MR. CORDONNIER: Yeah. I just think  
3 Permitted Use, single-family dwellings.

4 CHAIRPERSON TIMMERMAN: Basically combining  
5 them (unintelligible)?

6 MS. LAND: Uh-huh.

7 MR. CORDONNIER: Yeah. That whole second  
8 paragraph is --

9 MS. LAND: It was necessary when we had  
10 different definitions of an Agricultural Accessory  
11 Dwelling or a Non-Accessory Agricultural Accessory  
12 Dwelling, and we don't. We just have 2-acre.

13 CHAIRPERSON TIMMERMAN: Do you want to keep  
14 that last line that's right there, that's subject to  
15 all requirements in Hancock County Subdivision?

16 MS. LAND: I don't think it's necessary.  
17 You can, if you want, I guess.

18 MR. CORDONNIER: It's little bit of a heads  
19 up because -- you have 80 acres.

20 CHAIRPERSON TIMMERMAN: Right.

21 MR. CORDONNIER: The County Subdivision  
22 Regulations say you can only do five minor lot splits  
23 from that -- from that parent parcel.

24 CHAIRPERSON TIMMERMAN: Right.

1 MR. CORDONNIER: So -- because someone might  
2 think, well, they might add it up, and, like, well,  
3 I can do 10 -- I can cut 10 2-acre lots with the  
4 frontage that I have. The County Subdivision  
5 Regulations, whether you have zoning or not, you can  
6 only do five.

7 SECRETARY STACY: The one thing about  
8 leaving that in, it lets the person know that there  
9 are things that are in place. Zoning is not coming  
10 into play here. This is already in play even without  
11 zoning.

12 MS. LAND: That there are other  
13 regulations --

14 SECRETARY STACY: Yes.

15 MS. LAND: -- besides zoning.

16 CHAIRPERSON TIMMERMAN: I like that.

17 MS. LAND: Can I have somebody's paper to  
18 copy that off of because I -- I don't have a copy of  
19 the papers anymore, and I deleted it already.

20 SECRETARY STACY: Because I like -- I like  
21 the idea that people understand that that was not  
22 created --

23 CHAIRPERSON TIMMERMAN: Right.

24 MS. LAND: By you guys.



1 SECRETARY STACY: -- by zoning. That was  
2 already in place. It's independent of zoning. So I'm  
3 not sure.

4 CHAIRPERSON TIMMERMAN: And says HPH there.

5 SECRETARY STACY: Hancock Public Health.  
6 That probably needs to be spelled out.

7 CHAIRPERSON TIMMERMAN: Okay.

8 MS. LAND: Oh.

9 MR. CORDONNIER: HPH sounds like a disease  
10 or something.

11 I would say, I don't -- when someone's  
12 building a house in a township, I would always refer  
13 them to the county engineer. They've called us and  
14 Hancock -- the public health, I don't ever point them  
15 to the Ohio EPA. If you're building a single-family  
16 home -- a rural single-family home.

17 CHAIRPERSON TIMMERMAN: Did the EPA have  
18 something to do with dividing the lots?

19 MS. LAND: Yeah. If public health -- if  
20 Hancock Public Health has given already two septic  
21 systems on a number of lots that are along there, they  
22 can't give the next one; the EPA has to do it.

23 MR. CORDONNIER: Okay. I did not know that.

24 MS. LAND: I'm sure the health department

1 will direct them to that.

2 MR. CORDONNIER: Yeah.

3 CHAIRPERSON TIMMERMAN: Line Item E, down  
4 there on No. 4, I don't know if I said No. E. Letter  
5 E.

6 MS. PARGEON: That's okay.

7 CHAIRPERSON TIMMERMAN: It's directing to  
8 Section 402, subsection 1 or 2, which is what you just  
9 moved to Permitted Uses.

10 MS. LAND: Okay. Should be 401,  
11 subsection 1.

12 CHAIRPERSON TIMMERMAN: 401, subsection 1,  
13 is that where you put single-family?

14 MS. LAND: Yeah.

15 CHAIRPERSON TIMMERMAN: Everything else  
16 shifted down?

17 MS. LAND: Yeah.

18 CHAIRPERSON TIMMERMAN: Okay. That's all I  
19 saw for A-1.

20 MR. CORDONNIER: I would think about moving  
21 5 to Permitted. "Accessory buildings and uses  
22 customarily incident to any of the above-permitted  
23 uses."

24 Generally, my thought -- accessory buildings

1 and uses, in my mind, don't really fit the conditional  
2 use of --

3 MS. LAND: It's all right up there.

4 MR. CORDONNIER: It's already in?

5 MS. LAND: "Accessory buildings and uses  
6 customarily incident to any of the above-permitted  
7 uses. In the case of Agricultural Uses, this may  
8 include outside for implements and/or machinery."

9 It's No. 9, up under 401.

10 CHAIRPERSON TIMMERMAN: On our paper, it's  
11 8. You shifted everything down one.

12 MS. LAND: Oh, yeah. I added one. Sorry.

13 MR. CORDONNIER: Then it might be  
14 repetitive.

15 MS. LAND: Well --

16 CHAIRPERSON TIMMERMAN: But moving the  
17 Accessory Building maybe, like, No. 4 or Mobile Home.

18 MR. CORDONNIER: Or, "Accessory buildings  
19 and uses customarily incidental -- or incident to any  
20 of the above conditional uses."

21 MS. LAND: Okay. You said instead of  
22 "permit" say "conditional"?

23 MR. CORDONNIER: Yeah.

24 MS. LAND: Okay.

1 CHAIRPERSON TIMMERMAN: Probably should have  
2 been a Conditional Use anyways in that section.

3 MS. LAND: Yeah. Well, it didn't used to be  
4 called Conditional Uses. Permitted uses subject to  
5 special conditions.

6 CHAIRPERSON TIMMERMAN: Wow.

7 MS. LAND: So this is a cleanup day.

8 MR. CORDONNIER: Someone got paid by the  
9 word.

10 Everyone have a good Memorial Day weekend.

11 MS. LAND: You, too

12 MR. EVANS: Yeah. You, too.

13 MS. PARGEON: You, too.

14 MR. CORDONNIER: Thanks. And I will have --  
15 scheduled tomorrow to finish off the sign stuff.  
16 So...

17 SECRETARY STACY: Wonderful.

18 MR. CORDONNIER: Yeah.

19 MR. EVANS: Great. Thank you.

20 MS. LAND: And, then, we're still good with  
21 taking out R-2, right?

22 SECRETARY STACY: Yeah.

23 MS. PARGEON: Uh-huh.

24 MS. LAND: That would change all that stuff

1 that's plural verbs to single verbs.

2 SECRETARY STACY: Uh-huh.

3 MS. LAND: Okay. One of the things you guys  
4 took out was "except home businesses," and you want to  
5 allow home businesses in the R-1 District as a  
6 Conditional Use.

7 SECRETARY STACY: Probably.

8 MS. LAND: Okay.

9 MS. PARGEON: Uh-huh.

10 MS. LAND: I spelled "conditional" wrong  
11 somewhere.

12 CHAIRPERSON TIMMERMAN: Where did you move  
13 on to?

14 SECRETARY STACY: We're right in here.

15 CHAIRPERSON TIMMERMAN: Just getting started  
16 then.

17 MS. LAND: I'm just cleaning up the stuff  
18 that needs to go, unless there's anything in this  
19 lined out stuff you guys want to keep.

20 CHAIRPERSON TIMMERMAN: No. At least not on  
21 that first page.

22 SECRETARY STACY: Do we -- she asked do we  
23 want to keep -- allow home businesses.

24 CHAIRPERSON TIMMERMAN: Uh-huh.

1 MS. LAND: Which you would be if you take  
2 out that exception. It's up to you guys.

3 CHAIRPERSON TIMMERMAN: Use is permitted --  
4 so if we get rid of "except home businesses," then  
5 they would be allowed?

6 MS. LAND: In the Conditional Uses. Yeah.

7 SECRETARY STACY: I would think so.

8 CHAIRPERSON TIMMERMAN: In R-1?

9 MS. LAND: Yeah.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: "Daycare facilities operated in  
12 the home" still stays?

13 CHAIRPERSON TIMMERMAN: Did you move down or  
14 something while I wasn't here?

15 MS. LAND: Oh, I'm sorry.

16 CHAIRPERSON TIMMERMAN: No, I'm still on  
17 that "except home businesses." Home businesses was  
18 outside the house?

19 MS. LAND: Right, but on the premises.

20 CHAIRPERSON TIMMERMAN: Right. I mean --

21 MS. LAND: If somebody has a wood shop in  
22 their garage, and they're making --

23 CHAIRPERSON TIMMERMAN: Whatever.

24 MS. LAND: -- little planters shaped like

1 dogs. You never know.

2 CHAIRPERSON TIMMERMAN: Does somebody want a  
3 wood -- little planter like a wood shaped dog?

4 MS. LAND: I've got one. Thank you.

5 CHAIRPERSON TIMMERMAN: I -- I don't really  
6 have a problem with removing the "except home  
7 businesses".

8 MS. LAND: Okay.

9 CHAIRPERSON TIMMERMAN: Did anybody else  
10 chime in on that? Remove it?

11 SECRETARY STACY: Right.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: I know there was some discussion  
14 about the daycare facilities, and Matt wasn't super  
15 keen on them. But in Hancock County, there's a really  
16 sad shortage of daycare providers, so telling people  
17 they can't have in-home daycares would shorten it even  
18 more because --

19 SECRETARY STACY: Right.

20 MS. PARGEON: Well, some of the big ones  
21 closed in Findlay.

22 MS. LAND: Yeah. The agencies are closing  
23 and people are actually trying to find people to keep  
24 their children. If we say they can't do it here,

1 you're going to limit a lot of people.

2 SECRETARY STACY: Right. Right. Seems to  
3 me we kind of make a distinction on size and just  
4 small in your home.

5 MS. LAND: Daycare facilities operated in  
6 the home, they're licensed by JFS; they can't have  
7 more than five children.

8 SECRETARY STACY: Okay.

9 CHAIRPERSON TIMMERMAN: So we don't need to  
10 regulate --

11 MR. CORDONNIER: When you say "in-home  
12 daycare," it's already being limited.

13 SECRETARY STACY: All right.

14 CHAIRPERSON TIMMERMAN: Ready for 6? Is  
15 that what you said?

16 MS. LAND: Yeah.

17 CHAIRPERSON TIMMERMAN: 5 is just all red.

18 MS. LAND: Yeah. That's the second 5. The  
19 one you just did was 5, too.

20 CHAIRPERSON TIMMERMAN: Okay.

21 SECRETARY STACY: So, Dave, we are -- under  
22 4 or E does that address those homes that are  
23 exceptional?

24 MR. EVANS: What page are you on?



1 SECRETARY STACY: It would be --

2 CHAIRPERSON TIMMERMAN: Are you still in the  
3 R-1?

4 SECRETARY STACY: Yeah. R-1. Section 500,  
5 but the second page where it's -- there's a 4 at the  
6 top. And, then, on B. "Buildings greater than the  
7 maximum height allowed in the schedule." You increase  
8 the required yards.

9 MR. EVANS: The setbacks.

10 SECRETARY STACY: Yeah.

11 MR. EVANS: Does that also apply to -- they  
12 talk about churches. Are you in 1 at the bottom?

13 CHAIRPERSON TIMMERMAN: She was in 4 there.

14 SECRETARY STACY: Yeah. Churches is 1.

15 MR. EVANS: Gotcha. 4 is the next page.

16 SECRETARY STACY: Oh, wait. That's just on  
17 colleges and universities.

18 CHAIRPERSON TIMMERMAN: Are you looking at  
19 the house deal?

20 SECRETARY STACY: Yeah. That's what --  
21 maybe I think I missed.

22 MR. EVANS: I mean, I don't think it would  
23 be bad to have houses follow that same thing, if you  
24 have --

1 SECRETARY STACY: Yeah.

2 MR. EVANS: -- a 50-foot house, you just  
3 can't have it up as close to the road as --

4 SECRETARY STACY: Yeah.

5 CHAIRPERSON TIMMERMAN: Would that be -- I  
6 don't know. I was going to say, would it be an R-1,  
7 but I don't think you should restrict where people can  
8 build a house in that sense.

9 SECRETARY STACY: Well, chances are some of  
10 those bigger homes are going to be more in that --  
11 well, ag district possibly.

12 MR. EVANS: By themselves, for sure.

13 SECRETARY STACY: True.

14 CHAIRPERSON TIMMERMAN: We're discussing if  
15 a house wanted to be, let's say, a three-story house,  
16 taller than the area in bulk, or whatever there, is  
17 there a way -- so for, like, churches and colleges, we  
18 have a section where it says, for every foot taller  
19 you've got to set back. Is that something that we  
20 would -- could do for houses as well?

21 MS. LAND: Yeah. Because the purpose of  
22 limiting the height is to make sure that they aren't  
23 going to be overshadowing the neighbors.

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: And if you add extra setback,  
2 that's going to alleviate that. That's the thought  
3 process.

4 SECRETARY STACY: Yeah. I think that's a  
5 good way to address it.

6 MS. LAND: How tall do you want them to get?

7 MR. EVANS: There's one close to Deb that's  
8 probably 50-foot tall. But it -- when you look at  
9 it --

10 MS. LAND: (Unintelligible).

11 SECRETARY STACY: Dr. Yoder lives there now,  
12 but he didn't build it. But it's a full three  
13 stories, and the top isn't -- actually it's a  
14 basketball court, like, a half-size regulation  
15 basketball court with wood that actually came out of  
16 the University of Indiana because the individual  
17 played basketball. But it's exactly half the size of  
18 the regulation basketball court. So it's extremely --

19 MS. LAND: Very grand. You still have to  
20 clean it, though.

21 SECRETARY STACY: It's not my house. I  
22 don't have to clean it.

23 CHAIRPERSON TIMMERMAN: But if somebody  
24 wanted to put a house up like that.

1 MS. LAND: Yeah, we can.

2 CHAIRPERSON TIMMERMAN: I mean, that's the  
3 exception, not the rule. I'm sure.

4 MS. LAND: You're looking in the  
5 Single-Family Residential area?

6 CHAIRPERSON TIMMERMAN: I think -- I mean,  
7 if you're going to put it in the R-1, I'd put it in  
8 the A-1 as well.

9 SECRETARY STACY: Yeah.

10 MS. LAND: Okay.

11 CHAIRPERSON TIMMERMAN: If somebody wanted  
12 to -- if we want to go that direction to say that they  
13 have to live in A-1 or R-1, I think is --

14 SECRETARY STACY: Right.

15 CHAIRPERSON TIMMERMAN: -- not the way to  
16 handle it.

17 SECRETARY STACY: It wouldn't be in the  
18 multi-family.

19 MS. LAND: You know what? I think we could  
20 put that in -- in the chart. Could we add it to the  
21 chart in one of the -- add in -- in the exceptions and  
22 the footnote? Add it to the one in Agricultural,  
23 Single-Family Home, and R-1 Single-Family Home that  
24 the extra setback for extra height, like we do in

1 the -- you see what I mean?

2 MR. EVANS: So put a footnote in the height.

3 MS. LAND: Yeah. Because that whole chart  
4 regulates height and setbacks.

5 SECRETARY STACY: Yeah. That works.

6 CHAIRPERSON TIMMERMAN: Does it regulate --  
7 my question on that, though, is, does that -- does  
8 this chart regulate anything outside of houses?  
9 Because if you just add it to the chart, does it give  
10 permission for other structures to go above the  
11 height?

12 MS. LAND: I see what you're saying. Okay.  
13 And you want to limit it to residences?

14 CHAIRPERSON TIMMERMAN: I mean, the  
15 conversation was -- has been residences.

16 MS. LAND: Where is the chart?

17 SECRETARY STACY: It's, like, we -- some of  
18 those different business designations were also based  
19 on height as well, correct?

20 CHAIRPERSON TIMMERMAN: Say that again. The  
21 businesses have a height limit.

22 SECRETARY STACY: Right. So B-1, no more  
23 than two stories. You have 30.

24 MS. LAND: Did we change single-family

1 residence lot width to 100? I just want to make sure  
2 it didn't get changed when we go to the version here.  
3 Is my scribbled-up copy on one of you guys' set?

4 MS. PARGEON: I don't have any scribbled-up  
5 one.

6 CHAIRPERSON TIMMERMAN: So you're saying for  
7 R-1 --

8 MS. LAND: Oh, this. Is it connected?

9 CHAIRPERSON TIMMERMAN: You're looking for  
10 R-1 with lot width; is that correct?

11 MS. LAND: No. Yeah. R-1 lot width. Do  
12 you remember?

13 CHAIRPERSON TIMMERMAN: I have on my -- my  
14 original, I have it at 100, R-1 --

15 MS. LAND: Just wanted to make sure.

16 CHAIRPERSON TIMMERMAN: R-1 was 100; R-2 was  
17 75. We ended up going with the larger lot sizes of  
18 1,500 square feet and the 100 feet of lot width.

19 MS. LAND: Okay. All right. I just wanted  
20 to make sure it got converted properly. There's my  
21 scribbled-up one.

22 We could add an additional footnote for lot  
23 height on A-1 and R-1 that additional setbacks for  
24 height for residential structures only -- dwelling

1 units only.

2 CHAIRPERSON TIMMERMAN: You would put like a  
3 letter after the number? Is that what you're saying?

4 MS. LAND: Yeah. Create a new letter, if  
5 that'd work, too.

6 CHAIRPERSON TIMMERMAN: Yeah. I like that.  
7 That's simple.

8 SECRETARY STACY: Yeah.

9 MS. LAND: Okay.

10 CHAIRPERSON TIMMERMAN: The question for me  
11 is with the R-1 -- I mean, I assume people are  
12 instantly thinking the -- for every 1 foot you go  
13 over, you have 1 foot of setback. I think that's what  
14 it calls out for the colleges and churches. That  
15 becomes a -- I guess a -- probably a very -- it's  
16 going to look like a very large house on an R-1 lot  
17 potentially.

18 MS. LAND: Well --

19 CHAIRPERSON TIMMERMAN: If you just stick  
20 with --

21 MS. LAND: -- they may not be able to go  
22 with a minimum lot size in R-1.

23 CHAIRPERSON TIMMERMAN: Exactly.

24 MS. LAND: They may have to have a larger

1 lot size. If you're going to build a three-story  
2 house, you're probably going to want a larger lot size  
3 anyways. I mean, and they're going to have to be able  
4 to get the setbacks to go higher.

5 CHAIRPERSON TIMMERMAN: I agree. Is 1:1  
6 still --

7 SECRETARY STACY: Oh, I see what you're  
8 saying.

9 MS. LAND: You might want more than 1?

10 CHAIRPERSON TIMMERMAN: I mean, if you put a  
11 50-foot-tall house in an R-1, it's going to look like  
12 a monster.

13 MS. LAND: Yeah.

14 MR. EVANS: Chances are they're going to be  
15 on two or three lots, if they do that. Like, there's  
16 a couple I can think of in Findlay that are on  
17 multiple lots. The bigger ones.

18 MS. LAND: Those are --

19 CHAIRPERSON TIMMERMAN: That's why they'd  
20 have to be joined.

21 MS. LAND: -- in platted subdivisions.

22 R-1 doesn't necessarily have to be platted  
23 subdivisions. They could be somebody just buying a  
24 smaller lot. If they have access to water and sewer,



1 they don't need the 2-acre lot. But if they are in  
2 R-1, they want to build a 50-foot-tall house, they may  
3 have to build -- or get more than a 100-foot-wide lot.  
4 They'd have to --

5 CHAIRPERSON TIMMERMAN: Yeah.

6 MS. LAND: Either that or they'll be one of  
7 those skinny houses. Looks odd.

8 CHAIRPERSON TIMMERMAN: So...

9 MS. LAND: 1:1 okay?

10 CHAIRPERSON TIMMERMAN: I mean, if everybody  
11 is good with 1:1, I am.

12 MS. PARGEON: Yeah.

13 CHAIRPERSON TIMMERMAN: I'm just trying to  
14 put my ideas out there.

15 SECRETARY STACY: Does it make sense?

16 MR. EVANS: Yeah.

17 MS. LAND: Do we want to put a maximum?

18 SECRETARY STACY: Height or --

19 MS. LAND: Uh-huh.

20 CHAIRPERSON TIMMERMAN: How do you predict  
21 the future?

22 MS. PARGEON: Yeah. Right.

23 CHAIRPERSON TIMMERMAN: I mean, if you --

24 MS. LAND: As long as we still have the 1:1,

1 if they even want to go higher than 50, they're going  
2 to have to keep getting their --

3 CHAIRPERSON TIMMERMAN: They have to keep  
4 them wider.

5 MS. LAND: -- yard wider to absorb the  
6 impact of it.

7 MS. PARGEON: Sure.

8 CHAIRPERSON TIMMERMAN: I think the second  
9 you put a 50-foot limit on it, somebody's going to  
10 have a house that's --

11 MS. LAND: 52.

12 CHAIRPERSON TIMMERMAN: Exactly. It's my  
13 dream home and it's 52.

14 MS. LAND: Yeah.

15 CHAIRPERSON TIMMERMAN: So I think some of  
16 those houses, like, in Lakeview in Findlay, they are  
17 really close together, but they are super tall. Some  
18 of them are three stories because they built a little  
19 bit on the side of a hill. The ones going down to  
20 the -- and they're super close together.

21 So if we have this in here that they have to  
22 have extra setback for their height, we will  
23 accomplish giving them the air and space they need  
24 when, you know, they could be done otherwise. But

1 it's not exactly -- I don't think I'd like that.

2 CHAIRPERSON TIMMERMAN: Do you think 1:1 is  
3 enough?

4 MS. LAND: Uh-huh. Yeah.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: You have to have to 1:1. You  
7 can't make it higher and let it go.

8 SECRETARY STACY: Right. Right.

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. LAND: Okay.

11 CHAIRPERSON TIMMERMAN: You got what you  
12 need for that then?

13 MS. LAND: Yeah. Make a note.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: So now we're in RM-I,  
16 Multi-Family Residential Districts. RM-I.

17 SECRETARY STACY: Before we go there, under  
18 the One-Family Residential Districts where it's  
19 talking about the swimming pools.

20 CHAIRPERSON TIMMERMAN: You're in RM-I  
21 again, or R-I?

22 SECRETARY STACY: Yeah. G is the section  
23 about private pools.

24 MS. LAND: Uh-huh.

1           SECRETARY STACY: Okay. We had talked about  
2 a fence is required even when the pool has an  
3 automatic pool cover, because there was -- evidently  
4 that was an argument somewhere that they thought that  
5 if they had an automatic pool cover they shouldn't be  
6 required to have a fence. But, then, the point was  
7 made that the cover may not be shut.

8           MS. LAND: It probably won't be most of the  
9 summer.

10           SECRETARY STACY: Right. So maybe we could  
11 just add a sentence: A fence is required even when  
12 the pool has an automatic pool cover, or not.

13           MS. LAND: We've already got it covered that  
14 says, All pools shall have a -- it doesn't matter what  
15 kind of fancy-pants cover they put on them, they still  
16 need to have their fence.

17           SECRETARY STACY: Okay. So that would cover  
18 that.

19           MS. LAND: Yeah. If we put in a specific,  
20 then there's going to be another specific that wasn't  
21 mentioned, and they'll say, Well, you only said with  
22 this, not the way we have it.

23           SECRETARY STACY: Okay.

24           MS. LAND: And you're permitting, just to be

1 clear, I have no opinion either way in-ground and  
2 above-ground pools. There's no distinction between  
3 them for anything. Okay.

4 SECRETARY STACY: We're getting a no from  
5 the audience.

6 FROM THE FLOOR: No distinction.

7 CHAIRPERSON TIMMERMAN: No distinction.

8 SECRETARY STACY: Okay. All right. Onward.  
9 Multiple Family.

10 MS. LAND: Daycare Facilities in this one.  
11 There was another one that Matt was a little bit --  
12 you've got to allow them somewhere. People need them.

13 CHAIRPERSON TIMMERMAN: Right.

14 MS. PARGEON: Yeah.

15 CHAIRPERSON TIMMERMAN: Yeah. And that's --  
16 that's where it would be larger?

17 MS. LAND: That would be like a facility.  
18 Yeah.

19 SECRETARY STACY: Yeah.

20 MS. LAND: It's a freestanding building  
21 that's not somebody's home.

22 CHAIRPERSON TIMMERMAN: Okay.

23 SECRETARY STACY: I think it makes sense.

24 MS. LAND: I'd rather have them in

1 Residential Districts and in -- I mean, you can have  
2 schools in Residential Districts, and a daycare is  
3 just littler kids doing the same stuff. Right?

4 CHAIRPERSON TIMMERMAN: Yeah.

5 MS. PARGEON: Yeah.

6 MS. LAND: Probably more contained than the  
7 high school would be by far. We don't let them loose,  
8 going around vandalizing people. At least we hope  
9 they don't let them loose.

10 Now we are on -- we are up to Business  
11 Districts; is that right?

12 CHAIRPERSON TIMMERMAN: Yeah. Do we -- I'm  
13 not saying to end here. I'm good with keep going.

14 Do we want to pause, take any questions from  
15 anybody? I mean, we're over our time already. If  
16 anybody was on a time crunch and had anything they  
17 wanted to add, we wanted to add?

18 SECRETARY STACY: We can do that.

19 CHAIRPERSON TIMMERMAN: Everybody good with  
20 that? Is there any questions?

21 You're new here. I haven't seen you before.  
22 So I'm, like, making you -- you've been waiting  
23 patiently, or anybody else for that matter. So...

24 Just hanging out.

1 FROM THE FLOOR: I'm good right now. Thank  
2 you.

3 CHAIRPERSON TIMMERMAN: Then we're going to  
4 keep -- unless anybody else?

5 FROM THE FLOOR: No.

6 CHAIRPERSON TIMMERMAN: We're going to keep  
7 going. I guess I should include you, too.

8 FROM THE FLOOR: I'm okay.

9 MS. LAND: The big distinction and changes  
10 in this was, instead of having laundry lists of things  
11 that we were contemplating as being these businesses,  
12 we made size --

13 CHAIRPERSON TIMMERMAN: Right.

14 MS. LAND: -- issues. We still good with  
15 those sizes?

16 CHAIRPERSON TIMMERMAN: I'm not saying no.  
17 But on No. 1, it says, "...doing business in a  
18 facility no larger than 30,000 square feet." And,  
19 then, like, in No. 3, it says, "...doing business in a  
20 facility no larger than 2,500 square feet.

21 MS. LAND: Was it supposed to be 3,000 and  
22 not 30,000?

23 CHAIRPERSON TIMMERMAN: I wrote down 30 in  
24 my notes as well. Like, somewhere, we started there,

1 but that is a much different -- I mean, that's half  
2 the size of Kroger.

3 MS. LAND: That's huge.

4 CHAIRPERSON TIMMERMAN: According to Matt's  
5 handout, Kroger was 62,000 square feet. So that's  
6 half the size of Kroger. So I think that number is  
7 probably not --

8 MS. LAND: Were we contemplating things like  
9 drug stores, stuff like CVS kind of places?

10 CHAIRPERSON TIMMERMAN: I don't know.

11 MS. LAND: I don't know how big they are.  
12 But I don't think they're 30,000 square feet, are  
13 they?

14 CHAIRPERSON TIMMERMAN: A Dollar General was  
15 10,000, he said.

16 MS. LAND: Okay. Dollar Generals are  
17 basically pole barns.

18 MS. PARGEON: Yeah.

19 CHAIRPERSON TIMMERMAN: The other thing -- I  
20 shouldn't have dove that deep right away. At the very  
21 start, it says, Business District. But, earlier,  
22 where you define the districts, it's called a Local  
23 Business District.

24 MS. LAND: Okay. We'll change that to Local



1 Business District.

2 CHAIRPERSON TIMMERMAN: Yeah.

3 MS. LAND: I think we call them Local  
4 Business District all the way -- the rest of the way  
5 through where we identified it.

6 CHAIRPERSON TIMMERMAN: So for B-2, we  
7 specifically called out the 10,000 square feet based  
8 on, like, a Dollar General.

9 MS. LAND: So is B-1 supposed to be 3,000,  
10 not 30,000?

11 CHAIRPERSON TIMMERMAN: I don't know what we  
12 were thinking.

13 SECRETARY STACY: I have -- I have written  
14 under --

15 MS. LAND: B-1, what do you have?

16 SECRETARY STACY: I have two-story. No more  
17 than two stories. For B-2, I have 2,500 to 10,000  
18 square feet.

19 CHAIRPERSON TIMMERMAN: I just find it  
20 interesting that you and I both have the 30,000  
21 number.

22 MS. LAND: And I don't know why I have that.  
23 I typed it in here --

24 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: -- when we were doing it, and  
2 that's -- that could very well have been a mistake.  
3 You've seen my typing skills.

4 CHAIRPERSON TIMMERMAN: So No. 1 is for a  
5 retail business which supplies commodities on the  
6 premises.

7 MS. LAND: And the list that had been there  
8 with things like grocery stores, bakeries, drug  
9 stores, notions, hardware.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. PARGEON: That's everything else you  
12 can't find is notions.

13 MS. LAND: Jo-Ann Fabrics.

14 MS. PARGEON: Yeah. Right.

15 MS. LAND: I'm going to take out the part we  
16 have lined out because we definitely don't want to go  
17 back to doing that, correct?

18 CHAIRPERSON TIMMERMAN: I agree.

19 SECRETARY STACY: Uh-huh.

20 MS. LAND: And the part in red, we have to  
21 make a determination on that 30,000 square feet.

22 CHAIRPERSON TIMMERMAN: No. 3 is Service  
23 Establishments, and No. 1 is Retail Businesses. So I  
24 don't know. I mean, at some level maybe one is

1 smaller businesses.

2 SECRETARY STACY: Right.

3 CHAIRPERSON TIMMERMAN: And 30,000 is  
4 getting to be a pretty good-sized facility.

5 SECRETARY STACY: Yes. Too big.

6 MS. LAND: Do you want to make it 10? That  
7 would be a Dollar General kind of place?

8 CHAIRPERSON TIMMERMAN: Right. But that's  
9 what we call out for B-2.

10 MS. LAND: Okay. Want to make --

11 CHAIRPERSON TIMMERMAN: But, I mean, what's  
12 a retail business that would be, like, you know,  
13 2,500 square feet?

14 SECRETARY STACY: Which is the size of a  
15 house.

16 CHAIRPERSON TIMMERMAN: Right. Is that just  
17 a little shop that sells --

18 MS. LAND: What's the likelihood of those  
19 wanting to build a tiny little building like that?

20 CHAIRPERSON TIMMERMAN: Well, okay. Let's  
21 go here. It's B-1. The only spot we have called out  
22 a B-1 is that watch repair, or whatever that is,  
23 right?

24 MS. LAND: Yeah.

1 CHAIRPERSON TIMMERMAN: So how big is their  
2 facility?

3 SECRETARY STACY: Tiny.

4 MR. EVANS: Less than 1,000 square feet, I  
5 think.

6 CHAIRPERSON TIMMERMAN: Right.

7 MR. EVANS: It's not very big.

8 CHAIRPERSON TIMMERMAN: Right. And -- well,  
9 that would be a service building, too, right? They  
10 were doing watch repair, so they're providing a  
11 service.

12 SECRETARY STACY: Right.

13 CHAIRPERSON TIMMERMAN: It would fall in  
14 that.

15 SECRETARY STACY: Right.

16 CHAIRPERSON TIMMERMAN: This is a retail  
17 business. I mean, I'm --

18 SECRETARY STACY: I would think if you're a  
19 retail business that means you're selling items.  
20 I would think you would need a larger space to display  
21 those items to sell them, right?

22 CHAIRPERSON TIMMERMAN: But 30,000.

23 MS. LAND: 30,000 is big.

24 SECRETARY STACY: That's too big. That's

1 too big for B-1.

2 MS. LAND: Yeah.

3 SECRETARY STACY: That needs to come down.

4 So the question is how --

5 CHAIRPERSON TIMMERMAN: Do you make -- do  
6 you just make it consistent with 2,500 square feet?  
7 You're talking a small little shop at that point and  
8 that might be okay. You looking for what's 2,500  
9 square feet?

10 MR. EVANS: Yeah.

11 CHAIRPERSON TIMMERMAN: The Premier Bank is  
12 3,200 square feet. Panera Bread is almost 5,000  
13 square feet, so half of Panera would be 2,500.

14 MS. LAND: So 5,000 wouldn't be that bad for  
15 a small shop or business. That's a decent size  
16 building.

17 SECRETARY STACY: Uh-huh.

18 MS. LAND: Change it to 5?

19 SECRETARY STACY: Yeah. I'm okay with  
20 5,000.

21 MR. EVANS: Yeah.

22 CHAIRPERSON TIMMERMAN: Is that -- when you  
23 go to B-2 -- so B-2 says, Service Establishments. So,  
24 yeah. That's -- the Service Establishments still line

1 up at 2,500 square feet, but do they call a retail up  
2 to -- you know, from 5,000 up to 10? I think we  
3 change that with the anticipated to the 10,000 to be,  
4 like, a Dollar General, which would be retail, not  
5 service.

6 SECRETARY STACY: Right.

7 CHAIRPERSON TIMMERMAN: So I think probably  
8 we need to add a retail section?

9 SECRETARY STACY: Yeah.

10 CHAIRPERSON TIMMERMAN: Well, line 3 says,  
11 "All retail businesses."

12 MS. LAND: Line 3. Oh, in B-2.

13 CHAIRPERSON TIMMERMAN: In B-2, yeah.

14 SECRETARY STACY: Could that even be worded  
15 that whether they're service or retail, the  
16 determining factor is that they are between 25 and  
17 10,000?

18 CHAIRPERSON TIMMERMAN: You're saying to  
19 join the two? Is that what you're implying?

20 SECRETARY STACY: Does it make a difference  
21 -- do we want to make a distinction whether they are  
22 retail versus service? Because it sounds to me like  
23 we're making --

24 CHAIRPERSON TIMMERMAN: I think it would be

1 okay with joining them and just having a standard size  
2 building.

3 MR. EVANS: Whether it's business or  
4 service.

5 CHAIRPERSON TIMMERMAN: To Matt's point,  
6 like he always says, "I don't care what they are doing  
7 inside the building."

8 MR. EVANS: Yeah.

9 MS. LAND: So it could be retail businesses  
10 or service establishments.

11 MR. EVANS: So 2 and 3 kind of need joined  
12 together.

13 SECRETARY STACY: Yeah. So the size would  
14 be between --

15 CHAIRPERSON TIMMERMAN: Off of --

16 MR. EVANS: No. 2 and 3.

17 CHAIRPERSON TIMMERMAN: From B-2. In B-1,  
18 it's 1 and 3.

19 SECRETARY STACY: So, likewise, for B-1, do  
20 we not care whether it's service or retail? It's more  
21 of the size for capping it at 5,000.

22 CHAIRPERSON TIMMERMAN: I think that's the  
23 easy -- do you want it at 5,000 or 2,500? I think I'd  
24 maybe just leave it at 2,500.

1 SECRETARY STACY: Oh, yeah.

2 MS. LAND: So in B-1, we would change it --  
3 No. 1 to say, "Retail businesses which supply  
4 commodities on the premises and service establishments  
5 which perform services on the premises, doing business  
6 at a facility no larger than -- square feet."

7 SECRETARY STACY: Yeah.

8 MS. LAND: 5,000 or 2,500?

9 MR. EVANS: It looks like if you're bigger  
10 than 2,500, you have to go to B-2.

11 CHAIRPERSON TIMMERMAN: We've just got to  
12 make sure the numbers line up whatever we choose.

13 MR. EVANS: Right. Which B-2 now says  
14 exceeding 2,500.

15 CHAIRPERSON TIMMERMAN: Right.

16 MR. EVANS: Not greater than 10.

17 CHAIRPERSON TIMMERMAN: So do we like the  
18 2,500 number? Or Cindy just said 3,500, I think.

19 MR. EVANS: Then you have kind of an  
20 overlap. You have to --

21 CHAIRPERSON TIMMERMAN: No, no, no. We  
22 would have to change B-2. They have to line up.

23 MS. LAND: So we could just make this B-1 no  
24 larger than 2,500. Then B-2 is 2,500 to 10,000. And



1 B-3 is over 10,000.

2 CHAIRPERSON TIMMERMAN: Just do that.

3 MS. LAND: Okay.

4 CHAIRPERSON TIMMERMAN: Just do that.

5 MR. EVANS: Is it 25 and then 10?

6 CHAIRPERSON TIMMERMAN: Yeah.

7 MR. EVANS: Okay.

8 MS. LAND: And, then, the -- so we combined  
9 1 and 3 in the B-1 Section?

10 CHAIRPERSON TIMMERMAN: Correct.

11 MS. LAND: Okay. Then, when you get down to  
12 No. 4 --

13 CHAIRPERSON TIMMERMAN: I'm going through  
14 this section, too. No. 5 is Business Establishments  
15 with professional offices, doing business in  
16 facilities no larger than 2,500 square feet.

17 MS. LAND: Yeah. It's No. 4 now.

18 CHAIRPERSON TIMMERMAN: Do you -- because  
19 it's still the 2,500 square feet, do you want to add  
20 it into --

21 MS. LAND: No.

22 CHAIRPERSON TIMMERMAN: -- everything else?  
23 Okay.

24 MS. LAND: I think it's going to get too

1 busy.

2 CHAIRPERSON TIMMERMAN: Cluttered. That's  
3 fine.

4 MS. LAND: Other ones are retail, but  
5 professional offices are a different kind of animal.

6 CHAIRPERSON TIMMERMAN: That's fine.

7 MS. LAND: Okay. So No. 7 and 8 need to  
8 come out?

9 CHAIRPERSON TIMMERMAN: 7 and 8 being  
10 Business and Professional Offices.

11 MS. LAND: Uh-huh. And other similar uses.

12 CHAIRPERSON TIMMERMAN: Yeah.

13 MS. PARGEON: Uh-huh. Yeah.

14 MS. LAND: Daycares stay.

15 CHAIRPERSON TIMMERMAN: Yeah.

16 MS. LAND: Okay.

17 CHAIRPERSON TIMMERMAN: And this is -- this  
18 is all -- I forget what your term where B-1 can go  
19 into B-2 and B-3 Districts.

20 MS. LAND: Sort of a pyramid.

21 CHAIRPERSON TIMMERMAN: Pyramid. So  
22 daycares would be accepted in B-2 and B-3 as well?

23 MS. LAND: Yeah.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. LAND: Everything on this list -- I  
2 think when we go into B-2, the first thing says,  
3 Everything allowed in B-1 is allowed in B-2.

4 CHAIRPERSON TIMMERMAN: Yeah. All uses  
5 allowed in B-1. Yeah.

6 MS. LAND: In this, we have the Section 0.2,  
7 like this one is 802. Required Conditions. That's  
8 different than Conditional Uses. I'm going to leave  
9 it as Required Conditions, even though Matt gave me a  
10 little grief about it, I can't cookie-cutter  
11 everything to be exactly the same because these have a  
12 different connotation. So it's not Conditional Uses.  
13 They are the basis for what they have to have to be  
14 able to do these. Like off-street parking and --

15 CHAIRPERSON TIMMERMAN: And this applies to  
16 everything that's permitted.

17 MS. LAND: Yes.

18 CHAIRPERSON TIMMERMAN: Yeah. Okay.

19 MS. LAND: I don't know if you noticed, we  
20 don't always agree on things.

21 SECRETARY STACY: That's all right.

22 MS. PARGEON: That's called discussion.

23 MS. LAND: I sometimes feel I was put on the  
24 earth to aggravate some people. Poor Matt's one of

1 them.

2 SECRETARY STACY: It gives us a broader  
3 perspective, though.

4 MS. LAND: Yeah. And in the discussions,  
5 they are -- they help us get to what we want to  
6 remember because it will stick in our heads more.

7 CHAIRPERSON TIMMERMAN: You do have Section  
8 802 there where everything else was 7.

9 MS. LAND: It should be 7.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. LAND: Yeah. That's -- I have a lot of  
12 those. I'm going to have to go through as that --  
13 when I have them spread out on the conference table  
14 and make sure all the numbers coincide and they  
15 follow.

16 When we took the one 5 out, we shifted  
17 everything because what is our now 5 used to be  
18 6, everything's gotten -- and now there are other  
19 things that we're moving around. It's very confusing.  
20 It's part of the reason I don't have it done yet.

21 CHAIRPERSON TIMMERMAN: And you're busy.

22 MS. LAND: Huh?

23 CHAIRPERSON TIMMERMAN: And you're busy.

24 MS. LAND: Yeah.

1 CHAIRPERSON TIMMERMAN: Okay. Is that it  
2 for B-1?

3 MS. LAND: I kind of like those changes. It  
4 made it streamline things a bit.

5 CHAIRPERSON TIMMERMAN: Yeah.

6 MS. LAND: It does say B-1, not B-I,  
7 correct?

8 CHAIRPERSON TIMMERMAN: At the top, yes.

9 MS. LAND: Community Business Districts,  
10 going down in this section.

11 CHAIRPERSON TIMMERMAN: Going down into  
12 Section 1 there, I guess I'm good with removing what  
13 you have struck out on A.

14 MS. LAND: We all good with that?

15 CHAIRPERSON TIMMERMAN: My, what I'll call  
16 it question is on C. I think my notes -- I didn't  
17 cross out "hospitals." And it's not -- I'm not saying  
18 I'm for hospitals there. I'm just saying I don't  
19 think that's what we had initially.

20 MS. LAND: I have a bunch of asterisks there  
21 because there was a question about what should or  
22 shouldn't be taken out there.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MS. LAND: And that's why it's highlighted

1 in yellow.

2 CHAIRPERSON TIMMERMAN: Still trying to find  
3 the back now.

4 MS. LAND: Even if you leave hospitals, we  
5 have got to take out "Facilities for human care."  
6 Really? That's just weird.

7 MS. PARGEON: Yeah.

8 SECRETARY STACY: Yeah.

9 MS. PARGEON: Bandaid station.

10 MS. LAND: It's kind of creepy.

11 I'd like to take out and change it and keep  
12 it as "Financial Institutions," if that's all right.

13 SECRETARY STACY: Yeah.

14 MS. LAND: Because there's so many different  
15 things other than banks. I mean, there's credit  
16 unions. There's brokerages.

17 SECRETARY STACY: There's no need to list  
18 those out. Just Financial Institutions.

19 CHAIRPERSON TIMMERMAN: Do we want to leave  
20 hospitals? Does B-2 --

21 SECRETARY STACY: Well, our size -- our --  
22 would kind of -- I would think that most hospitals  
23 would be larger than that 10,000 square feet, wouldn't  
24 you?

1 MR. EVANS: Because they show NWO Surgery  
2 Centers at 12,000 square feet.

3 CHAIRPERSON TIMMERMAN: That would be tiny  
4 Urgent -- would it fall into a Service Establishment?  
5 Is that what a hospital is?

6 MS. PARGEON: It would be a branch of a  
7 little piece of the hospital set in the building.

8 SECRETARY STACY: Technically it is a  
9 service.

10 CHAIRPERSON TIMMERMAN: Right.

11 SECRETARY STACY: You are receiving a  
12 service; a medical service.

13 MS. PARGEON: Would be with Medical Office  
14 including Clinics.

15 MS. LAND: Where do we have that? Oh, yeah.  
16 Medical Offices, Including Clinics.

17 MS. PARGEON: Uh-huh.

18 MS. LAND: The definition of hospital is  
19 where people stay, though.

20 MS. PARGEON: Right.

21 MS. LAND: Is it going to be a Residential  
22 kind of -- I don't know if hospitals will fit here.

23 SECRETARY STACY: Right. I don't think  
24 it --

1 MS. LAND: They wouldn't be big enough for  
2 -- now, like, the surgery center and stuff like that,  
3 you don't stay overnight. That changes it from being  
4 a clinic to a hospital where you -- where they have  
5 overnight facilities.

6 SECRETARY STACY: Right. Right. True.  
7 Yeah.

8 CHAIRPERSON TIMMERMAN: So you think  
9 hospitals just fit better in B-3 at that point?

10 MS. LAND: Probably, yeah.

11 SECRETARY STACY: It would be larger. It  
12 would service a larger area, more people, instead of  
13 just local.

14 MS. LAND: And the 2,500 to 10,000 square  
15 feet stood here, right?

16 CHAIRPERSON TIMMERMAN: Because we kept  
17 2,500.

18 MS. LAND: Kept 2,500 in the other, and,  
19 now, this one just allows for -- frankly, there's not  
20 going to be a lot of B-1 because it's just not --

21 SECRETARY STACY: Right.

22 MS. LAND: But there could be if there's  
23 a -- you know, a walking community establishes itself,  
24 you know. And that may end up being a PUD kind of



1 thing. And, then, you'd have to have that B-1  
2 designation to be able to stick the stuff in there.  
3 So it's useful, and it's necessary, but you're going  
4 to have a lot more B-2s than B-3s.

5 SECRETARY STACY: Sure.

6 MS. LAND: I mean B-1s.

7 CHAIRPERSON TIMMERMAN: Yeah.

8 SECRETARY STACY: Yes.

9 CHAIRPERSON TIMMERMAN: Are you joining  
10 2 and 3 for the square foot deal?

11 MR. EVANS: Service and Retail?

12 CHAIRPERSON TIMMERMAN: That's how we had it  
13 set up in A-1.

14 SECRETARY STACY: Yeah.

15 MS. LAND: So we would say, "Office or  
16 Service Establishments doing business as in a facility  
17 exceeding 2,500 square feet, but not greater than  
18 10,000 square feet."

19 CHAIRPERSON TIMMERMAN: You went to Office.  
20 We're looking at 2 and 3.

21 MS. LAND: Oh, 2 and 3.

22 CHAIRPERSON TIMMERMAN: Service and Retail.

23 MS. LAND: Okay.

24 SECRETARY STACY: Yeah.

1 CHAIRPERSON TIMMERMAN: Because that's what  
2 we did in B-1.

3 MS. LAND: Okay.

4 CHAIRPERSON TIMMERMAN: You wouldn't let me  
5 have offices in B-1.

6 MS. LAND: Yeah, I don't want to do that.

7 You know, I don't know that Office or  
8 Service Establishments we have in paragraph 1 is  
9 limited to the 2,500 square feet to 10,000.

10 CHAIRPERSON TIMMERMAN: So do you want to do  
11 that here? Call that out still? I think it should --  
12 I mean, we're trying to restrict the size of  
13 structures.

14 MS. LAND: Uh-huh.

15 CHAIRPERSON TIMMERMAN: Not necessarily  
16 restrict. That's maybe not the right word.

17 MS. LAND: Control.

18 SECRETARY STACY: Control.

19 CHAIRPERSON TIMMERMAN: So yeah. I would  
20 say, in B-1, the office limited that to 2,500 square  
21 feet. So I think the 2,500 to 10,000 is fitting here  
22 as well.

23 MS. LAND: So it would say, Office -- or in  
24 B-1, it would say, "Office or Service Establishments

1 doing business in a facility exceeding 2,500 square  
2 feet, but not greater than 10,000 square feet..." --  
3 can't talk anymore.

4 CHAIRPERSON TIMMERMAN: For clarity, I think  
5 you said B-1.

6 MS. LAND: Huh? Well, I mean paragraph 1 in  
7 B-2.

8 CHAIRPERSON TIMMERMAN: Okay. Yeah.

9 SECRETARY STACY: Okay. "...such as, but  
10 not limited to the following: Office buildings,  
11 medical office, including clinics, financial  
12 institutions." And, then, we could take out paragraph  
13 2 completely.

14 CHAIRPERSON TIMMERMAN: And join them at 3.

15 MR. EVANS: Do you do the same thing to 4,  
16 5, 6, 7, though? Seems like we shouldn't have to keep  
17 putting the square footage parameters in there. It'd  
18 be nice if we could put it one place. Your B-2, if  
19 you're between 2,500 and 10,000.

20 MS. LAND: Right.

21 MR. EVANS: I mean, is it possible to put it  
22 in Section 801, Permitted Uses? Can you put square  
23 footage in there?

24 MS. LAND: "Community Business District. No

1 building or land shall be used, no building erected  
2 except for one or more of the following:"

3 By this Resolution, yes, we could put it in  
4 there.

5 MR. EVANS: That way we don't have to keep  
6 putting --

7 CHAIRPERSON TIMMERMAN: Does that size make  
8 sense for the stuff down below: Business schools,  
9 colleges, theaters? I don't know how --

10 SECRETARY STACY: Theaters, I wouldn't think  
11 theaters would fit in that size range, would you?

12 MS. LAND: No. No way.

13 SECRETARY STACY: They are usually --

14 MS. LAND: Like, the cinema. I mean, that's  
15 huge.

16 SECRETARY STACY: That's huge. That doesn't  
17 even fit here.

18 MS. LAND: I don't think it's everything in  
19 here that's supposed to be 2,500 to 10,000. I think  
20 it's only the specified things. So for No. 1, we  
21 could say Offices, comma, Service Establishments, or  
22 Retail Businesses.

23 SECRETARY STACY: Okay.

24 MS. LAND: "...doing business in a facility

1 exceeding 2,500 square feet, but not greater than  
2 10,000 square feet," comma, "...such as, but not  
3 limited to the following:"

4 We would take out paragraph 2 completely.  
5 We would take out paragraph 3, but we would add the  
6 A under No. 3, up to letter D on the first. Does that  
7 make sense?

8 CHAIRPERSON TIMMERMAN: That's the way I see  
9 it.

10 MS. PARGEON: Uh-huh.

11 MS. LAND: Are you guys okay with this?

12 MS. PARGEON: Yeah.

13 MS. LAND: Yeah. Okay. (Unintelligible)  
14 the delete button.

15 CHAIRPERSON TIMMERMAN: Now, in B-1 and  
16 B-3 -- we're not to B-3 yet. I'm pretty sure B-3.  
17 They both have, "...other uses similar to the above  
18 uses..." crossed out, but we have it in B-2.

19 MS. LAND: It should probably go.

20 CHAIRPERSON TIMMERMAN: I think so.

21 MS. LAND: Because we are saying not limited  
22 to. It's already implied.

23 CHAIRPERSON TIMMERMAN: Right.

24 MS. LAND: And we don't want to open the

1 door on everything there.

2 Private Clubs, Fraternal Organizations, and  
3 Lodge Halls. We're okay with that? There's no size  
4 limit on those.

5 Theaters, Assembly Halls, Concert Halls,  
6 those don't have size limits on them.

7 Business Schools or Colleges, Schools  
8 Operated for Profit, and then Accessory Structures.

9 CHAIRPERSON TIMMERMAN: I don't know how to  
10 limit the size of any of those.

11 MS. LAND: You wouldn't want to limit?

12 CHAIRPERSON TIMMERMAN: I don't know how I  
13 would.

14 MS. LAND: I don't know how we would either.  
15 Yeah, I don't think we need to.

16 CHAIRPERSON TIMMERMAN: That's kind of where  
17 I'm at.

18 MS. LAND: We do have a Conditional Use  
19 section in this one. No, it's all marked out. No,  
20 it's not.

21 MR. EVANS: (Unintelligible).

22 MS. LAND: Yeah. Did we move those to 3?

23 CHAIRPERSON TIMMERMAN: Did we move all  
24 those things that are crossed out?

1 MS. LAND: Yeah.

2 CHAIRPERSON TIMMERMAN: I think that's what  
3 happened. (Unintelligible) note C. Move to 3.

4 MS. LAND: So I can delete them? We're  
5 good?

6 MS. PARGEON: Uh-huh.

7 SECRETARY STACY: I guess I'm trying to  
8 determine what the difference is between an  
9 amusement -- is that like rides or is that just  
10 playground?

11 MS. LAND: We don't have a definition for  
12 it.

13 MR. EVANS: Where do you see that? That's  
14 not the one that's crossed out?

15 SECRETARY STACY: Are we at Section 803? Is  
16 that where we're at?

17 MR. EVANS: Yeah. I saw where amusement  
18 parks crossed out in B.

19 MS. PARGEON: Yeah.

20 SECRETARY STACY: Right. These are indoor  
21 things here.

22 MS. LAND: Would you really put a  
23 playground -- would it ever be defined as a children's  
24 amusement park? I mean --

1 MS. PARGEON: That would have to have rides.

2 MS. LAND: Well, swings.

3 MS. PARGEON: But that's different.

4 That's one spot.

5 SECRETARY STACY: I think a playground is  
6 different than an amusement --

7 MS. PARGEON: Yeah.

8 MS. LAND: Exactly. Yeah.

9 CHAIRPERSON TIMMERMAN: Where are you at for  
10 amusement park? Oh, in the crossed-out stuff?

11 MS. PARGEON: Yeah.

12 SECRETARY STACY: I guess I was just trying  
13 to --

14 CHAIRPERSON TIMMERMAN: No. You're good.

15 MS. LAND: You think we need to continue to  
16 have that crossed out; is that right?

17 SECRETARY STACY: Yeah.

18 MS. PARGEON: Uh-huh.

19 MS. LAND: And, now, we have Automobile  
20 Service Centers here and those want to stay, correct?

21 SECRETARY STACY: That's the low-level  
22 service, right?

23 CHAIRPERSON TIMMERMAN: Automobile Service  
24 Centers. I don't think we actually have a definition



1 of what that is.

2 MS. LAND: Yeah, we did.

3 MR. EVANS: We have an Automobile Service  
4 Station.

5 CHAIRPERSON TIMMERMAN: Service Station, and  
6 we have Automobile Repair, Minor and Major. Auto  
7 Service Center.

8 MS. LAND: Are you sure?

9 MR. EVANS: Probably should get rid of one,  
10 unless we have three.

11 CHAIRPERSON TIMMERMAN: I don't think we  
12 need to have another definition for this.

13 MS. LAND: Do we want to make it, instead of  
14 Service Center, Automobile Repair, Minor Repair?

15 CHAIRPERSON TIMMERMAN: That's what I would  
16 do.

17 MR. EVANS: Yeah.

18 SECRETARY STACY: Yeah.

19 MS. LAND: Where are we? What's the section  
20 we're in?

21 CHAIRPERSON TIMMERMAN: 803.

22 MS. LAND: Okay. I'm getting too tired to  
23 function here, people.

24 MR. EVANS: It's almost 8:00.

1 CHAIRPERSON TIMMERMAN: It is almost 8:00.  
2 Is this where we want to wrap up?

3 MS. LAND: I'm going to have to. It's Minor  
4 Automobile Service what? What's the word?

5 MS. PARGEON: Minor Repair.

6 SECRETARY STACY: Automobile Repair, comma,  
7 Minor or say Minor Automobile.

8 MS. PARGEON: Minor --

9 MS. LAND: Minor Automobile Repair.

10 SECRETARY STACY: Yeah. Yeah.

11 MS. LAND: Okay.

12 CHAIRPERSON TIMMERMAN: That's the end with  
13 Area and Bulk, obviously, but that's not included.

14 SECRETARY STACY: That gives us B-3,  
15 Expressway.

16 CHAIRPERSON TIMMERMAN: Everybody good  
17 wrapping up at this point?

18 MS. PARGEON: Yes.

19 CHAIRPERSON TIMMERMAN: That was a firm one.

20 SECRETARY STACY: It would be nice to go on,  
21 but I think our brains are all mush.

22 MS. LAND: May not be accomplishing much.

23 SECRETARY STACY: Yeah.

24 CHAIRPERSON TIMMERMAN: Okay. I guess we're

1 done with the book for the night. Last order of  
2 business I think is adding some meetings.

3 We only have one more scheduled right now;  
4 it's for a week from today. And we still have a  
5 little bit here out of this book, and, then, there's  
6 going to be --

7 MS. LAND: We have the Nonconforming Use,  
8 all those odd-ball things, which will take a good  
9 solid meeting to do. I think we might need to add  
10 meetings.

11 CHAIRPERSON TIMMERMAN: What do we want to  
12 do for adding?

13 MS. LAND: Well, let's see --

14 SECRETARY STACY: The 30th is a Thursday, a  
15 week from tonight. So...

16 CHAIRPERSON TIMMERMAN: That's our -- that's  
17 -- yeah. The 30th is our next meeting. That one's  
18 already scheduled.

19 MS. LAND: We could do Tuesday the 28th, if  
20 you wanted.

21 CHAIRPERSON TIMMERMAN: Do we have enough  
22 time to give notice for that?

23 SECRETARY STACY: Yeah.

24 MS. LAND: I think so. If we don't, though,

1 we'll get sued again, and it will stop everything; so  
2 don't want to give them anything to smack us with.

3 Do you want to meet on a Saturday, like  
4 June 1st?

5 SECRETARY STACY: Yeah.

6 CHAIRPERSON TIMMERMAN: That's not a bad  
7 idea.

8 SECRETARY STACY: I can do that.

9 MS. PARGEON: I can do that.

10 CHAIRPERSON TIMMERMAN: As much as everybody  
11 wants to give up a Saturday, but you -- you could  
12 really --

13 MS. LAND: We don't have any choice here.  
14 We've got to --

15 SECRETARY STACY: Right.

16 CHAIRPERSON TIMMERMAN: Do we want to  
17 schedule -- so I'm good with June 1st.

18 SECRETARY STACY: I am, too.

19 CHAIRPERSON TIMMERMAN: Do we want to  
20 schedule anything more than that? Are you -- is it --

21 MS. PARGEON: It's okay for me.

22 MR. EVANS: I could make the 1st. I'm out  
23 of town for the next --

24 MS. LAND: The rest of the time.

1 CHAIRPERSON TIMMERMAN: The next week?

2 MR. EVANS: The next seven days after that.

3 CHAIRPERSON TIMMERMAN: You could make the  
4 1st, though?

5 MR. EVANS: Yeah.

6 CHAIRPERSON TIMMERMAN: Let's shoot for the  
7 1st.

8 SECRETARY STACY: What do you want to do for  
9 the time?

10 CHAIRPERSON TIMMERMAN: I'm fair game for  
11 whatever.

12 MS. LAND: If you guys pick 7:00 a.m., I  
13 won't be here. Just saying.

14 MR. EVANS: 7:30.

15 MS. LAND: I'm not getting up at 7:00 a.m.  
16 on Saturday.

17 CHAIRPERSON TIMMERMAN: Okay. 7:00 a.m. is  
18 not the answer you want. But the earlier you go, the  
19 more day you have left.

20 MS. LAND: Like 9:00 maybe. Is that --

21 CHAIRPERSON TIMMERMAN: 9:00.

22 FROM THE FLOOR: I'll bring doughnuts.

23 CHAIRPERSON TIMMERMAN: Oh, Zoie.

24 SECRETARY STACY: We would need Mark --

1 CHAIRPERSON TIMMERMAN: She said 9:00 a.m.

2 MS. LAND: To get it in ASAP.

3 SECRETARY STACY: Yeah.

4 CHAIRPERSON TIMMERMAN: And just because  
5 we're scheduling, do we want to schedule anything,  
6 like, the 3rd and the 6th, which would be the  
7 following Monday, Thursday?

8 MS. LAND: We could. Let's just --

9 CHAIRPERSON TIMMERMAN: Just to have them in  
10 place.

11 SECRETARY STACY: Could we do the 4th?

12 CHAIRPERSON TIMMERMAN: Yes.

13 MS. LAND: I can't do the 4th. I have a  
14 5:00 meeting on the 4th.

15 MS. PARGEON: What time on the 3rd?

16 CHAIRPERSON TIMMERMAN: Just sticking with  
17 the 4th, you say you have a 5:00.

18 MS. LAND: That will take about an hour and  
19 a half.

20 CHAIRPERSON TIMMERMAN: Do you -- is that it  
21 for the night for you? And I'm good with that.

22 MS. LAND: You mean come after that meeting?

23 CHAIRPERSON TIMMERMAN: I'm just saying.

24 MS. LAND: No.

1 CHAIRPERSON TIMMERMAN: Not trying to push  
2 you.

3 MS. LAND: Do you know how old I am? This  
4 is killing me.

5 MS. PARGEON: Okay. What time on the 3rd?

6 CHAIRPERSON TIMMERMAN: No, we're not doing  
7 the 3rd.

8 MS. PARGEON: No. We're not doing the 3rd.  
9 Okay.

10 MS. LAND: The 5th and 6th?

11 SECRETARY STACY: How late is too late? I  
12 mean --

13 CHAIRPERSON TIMMERMAN: When is the last  
14 meeting? Like, when is the drop-dead date?

15 MS. LAND: About the 6th.

16 SECRETARY STACY: Do we have to be mindful  
17 of when the trustees meet? Do we have to have a  
18 public hearing date set before the trustees have their  
19 meeting on July -- let's see. June. I'm getting  
20 confused. We don't have to have -- we don't have to  
21 coincide anything with the trustees meeting, do we?

22 MS. LAND: No. No.

23 SECRETARY STACY: Okay. All right.

24 MS. LAND: In fact, it should not be done at

1 a regular meeting. It should be its own freestanding  
2 time and place.

3 CHAIRPERSON TIMMERMAN: When we --

4 MS. LAND: When you do yours, and they do  
5 theirs, it shouldn't be at their regular meeting.

6 SECRETARY STACY: Okay. But I didn't know  
7 if they had -- they don't have to approve our book  
8 hearing date?

9 MS. LAND: No. That's something you guys  
10 do.

11 SECRETARY STACY: Okay. All right.

12 MS. LAND: And here's the thing. It takes,  
13 like, three days to have it published. You know, so  
14 we need three days of lead time.

15 SECRETARY STACY: Right.

16 MS. LAND: So we will have to have the  
17 determination on the 1st during that meeting when you  
18 want to have your hearing.

19 SECRETARY STACY: Okay.

20 MS. LAND: You'll decide at that meeting  
21 what day you're going to have your hearing and what  
22 time.

23 And, then, we'll get the notices in, even  
24 though you're still meeting. As long as those



1 notices -- or we're done with the book 30 days before  
2 that meeting. So we have a three-day gap time in  
3 there that we can still be working on the book.  
4 Because once that notice comes out, that's your  
5 30 days.

6 The other thing is, with the trustees, they  
7 have to have a hearing that has a 30-day notice as  
8 well. They could set their hearing date based on  
9 where yours is and just go 30 days past that. They  
10 can do their noticing before your hearing because, you  
11 know, overlap like that to have them bumped right up  
12 against each other and have the 30 days without all  
13 that administrative downtime it requires to get the  
14 paper to go through its process of printing it. And,  
15 then, we'll make it.

16 You guys are going to make it. And I admit,  
17 I was wrong, and I am so glad I was wrong because you  
18 guys have been amazing.

19 CHAIRPERSON TIMMERMAN: So are we scheduling  
20 a meeting for, like, the 5th, 6th, or we're not doing  
21 that?

22 MS. LAND: If you do the -- what time would  
23 you want to go on the 4th?

24 CHAIRPERSON TIMMERMAN: Oh, I wasn't going

1 to -- that was 100 percent up to you.

2 MS. LAND: I will probably be done by 6:15.  
3 I can leave where I'm going to be by about 6:00. So  
4 I can be here by 6:15. Do you want to have, on the  
5 4th, later than the 5:00 meeting?

6 SECRETARY STACY: Can we always cancel  
7 that --

8 MS. LAND: Oh, yeah.

9 SECRETARY STACY: -- if it's not --

10 MS. LAND: If, on June 1st, you are happy  
11 with your final --

12 SECRETARY STACY: Well, I guess I'm kind of  
13 hoping with that Saturday meeting we can easily go --

14 MS. LAND: We can get it done.

15 SECRETARY STACY: -- wrap it up.

16 CHAIRPERSON TIMMERMAN: That's what I'm  
17 hoping, too. That we don't have --

18 SECRETARY STACY: Go three hours.

19 CHAIRPERSON TIMMERMAN: But we won't have  
20 time to schedule anything after that is the only  
21 reason to schedule the 4th.

22 MS. LAND: To schedule them now. And, then,  
23 if we don't, we just write "Canceled" on the notice on  
24 the door.

1 SECRETARY STACY: Okay. Let's do that. So  
2 June --

3 CHAIRPERSON TIMMERMAN: 4th at 6:00 -- what  
4 time?

5 MS. LAND: 15.

6 CHAIRPERSON TIMMERMAN: 6:15. And, then, do  
7 we want to do the 6th again?

8 MS. LAND: Or do you want to do the 5th, the  
9 next day?

10 CHAIRPERSON TIMMERMAN: I'm game.

11 MS. PARGEON: I'm game. Whichever you --

12 MR. EVANS: I'm not here.

13 SECRETARY STACY: The time -- the whole --

14 MS. LAND: You're gone the whole time.

15 SECRETARY STACY: The whole timeline makes  
16 me a little uncomfortable. So whenever.

17 CHAIRPERSON TIMMERMAN: Let's do the 5th.

18 MS. LAND: Yeah. We're getting down to the  
19 wire, but...

20 CHAIRPERSON TIMMERMAN: It's one day sooner.  
21 And we'll do that at 5:00.

22 MS. LAND: Okay.

23 SECRETARY STACY: I want to make sure I have  
24 this correct. I have June 1st at 9:00 in the morning.

1 I have June 4th at 6:15 p.m., and June 5th at  
2 5:00 p.m.

3 MS. LAND: That's what I've got.

4 CHAIRPERSON TIMMERMAN: And with any luck  
5 we'll cancel the last two.

6 SECRETARY STACY: Correct.

7 MS. LAND: Okey dokey.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MR. EVANS: Better make sure Darrin can --

10 CHAIRPERSON TIMMERMAN: Let him know those  
11 days. Yeah.

12 MS. LAND: You have to have at least three  
13 of you here to have the meeting.

14 SECRETARY STACY: Right.

15 MS. LAND: So you guys --

16 CHAIRPERSON TIMMERMAN: Which, the 1st  
17 shouldn't be an issue. You'll be here. We can all --  
18 us four can be there for sure.

19 SECRETARY STACY: Right.

20 CHAIRPERSON TIMMERMAN: And then the 4th and  
21 the 5th is where we'll have to make sure that Darrin  
22 knows -- Darrin, at least -- I mean, we have to make  
23 sure he knows about all three.

24 MS. LAND: Yeah.

1 CHAIRPERSON TIMMERMAN: But yeah.

2 MS. PARGEON: And we're meeting on May 30th.

3 MS. LAND: And May 30th. Yeah. We already  
4 have that noticed.

5 CHAIRPERSON TIMMERMAN: That's already  
6 scheduled.

7 MS. PARGEON: Okay.

8 CHAIRPERSON TIMMERMAN: Any other -- open to  
9 the floor real quick?

10 SECRETARY STACY: Sure.

11 CHAIRPERSON TIMMERMAN: Any last-minute  
12 things?

13 FROM THE FLOOR: This was worse.

14 CHAIRPERSON TIMMERMAN: Oh, here we go. I  
15 asked for questions earlier. Now two of them.

16 MS. LAND: Was it worse than parking?

17 SECRETARY STACY: Do you have your hand up,  
18 ma'am?

19 FROM THE FLOOR: No.

20 FROM THE FLOOR: I just --

21 CHAIRPERSON TIMMERMAN: Go for it. I don't  
22 care.

23 FROM THE FLOOR: He can go.

24 FROM THE FLOOR: I was saying, can I ask you

1 a couple questions after the meeting? Just, like,  
2 general things.

3 CHAIRPERSON TIMMERMAN: Sure.

4 MS. LAND: One of them.

5 FROM THE FLOOR: It's not related to the  
6 content necessarily.

7 MS. LAND: Well, you can talk to one of  
8 them, but not the group.

9 FROM THE FLOOR: I see.

10 MS. LAND: As a board, if they speak to  
11 anybody as a board, not in their meeting, they're  
12 already getting sued for that. We don't want it  
13 again.

14 FROM THE FLOOR: Okay.

15 MS. LAND: When they didn't do it the last  
16 time.

17 CHAIRPERSON TIMMERMAN: Is that acceptable  
18 to you?

19 FROM THE FLOOR: That's very much so. Yes.

20 CHAIRPERSON TIMMERMAN: Okay.

21 FROM THE FLOOR: My question is, running  
22 through the process again of who gets the document and  
23 they have it for 30 days, and, then, who's next?

24 MS. LAND: Once they complete the document,

1 they have to have a 30-day notice to the public that  
2 they're going to have a hearing.

3 FROM THE FLOOR: Okay.

4 MS. LAND: They have to have the book  
5 available for anybody to review it during that  
6 30 days.

7 We're going to see if Mark Schimmoeller can  
8 get it put on the website, so a link to it, so they  
9 can open it up, read it that way. But also, here,  
10 there will be hard copies, if somebody wants to come  
11 and look at it here, but they will have to get with  
12 Mark and make an appointment kind of thing.

13 They will have their hearing at the end.  
14 During their hearing, they'll have to make a decision  
15 if they want to accept this and make a recommendation  
16 to the trustees that they accept it; if they want to  
17 make a recommendation to the trustees that they deny  
18 it, don't do it, or if they want to make some sort of  
19 modified recommendation.

20 Now, I've never worked with a group who've  
21 put in this much time whoever said they want to deny  
22 it and tell the trustees not to do it. If they do,  
23 I might go postal. Just so you know.

24 So, you know, let's just, for discussion

1 sake, say they decide they're going to send it to the  
2 trustees and recommend they adopt it. Then the  
3 trustees also have to have a 30-day notice and have  
4 that waiting period for people to look at it again.

5 And, then, they have their hearing. At  
6 their hearing, they decide whether they want to reject  
7 it and not go forward with it, adopt it as is, or  
8 modify it in some way. Whatever way they pick is the  
9 final way that it -- they also sign the documents to  
10 have it put on the ballot at that hearing -- at that  
11 last hearing.

12 And, then, by 4:00 on August 7th, they have  
13 to have it to the Board of Elections, the copy of the  
14 book, copies of the map, and copies of the ballot  
15 language to have it sent to the Secretary of State and  
16 be certified to be able to be on the election.

17 FROM THE FLOOR: Thank you for the  
18 explanation.

19 MS. LAND: And at the polling places, there  
20 will be a copy of the book and a copy of the map, if  
21 people want to see it.

22 Does everybody vote in this building? Both  
23 precincts?

24 FROM THE FLOOR: Yes.



1 MS. LAND: Okay. It will be here. Probably  
2 up on the wall.

3 CHAIRPERSON TIMMERMAN: Do we need to get a  
4 copy of this to Matt to get the updated --

5 MS. LAND: Yeah.

6 CHAIRPERSON TIMMERMAN: I have the updated  
7 that is exactly what we discussed last time. Do you  
8 want to take that to him to get one -- to get that  
9 ball rolling?

10 MS. LAND: I can.

11 CHAIRPERSON TIMMERMAN: So...

12 SECRETARY STACY: Yeah. If we're satisfied  
13 with that, we might as well go ahead and get it  
14 published, or --

15 MS. LAND: Yeah. Get it set up the way it  
16 would be.

17 SECRETARY STACY: Yeah.

18 CHAIRPERSON TIMMERMAN: It's rolled up here.

19 MS. LAND: And during that Saturday meeting,  
20 I'll ask him to make us a copy -- two copies of what,  
21 you know, the final one is, and, then, you can draw  
22 your Future Use Map onto that one.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MS. LAND: And, then, they can do the next

1 map off of that.

2 CHAIRPERSON TIMMERMAN: Okay.

3 SECRETARY STACY: You've said the Future Use  
4 Map does not have to be done --

5 MS. LAND: It's good to have it, but it is  
6 not part of what's before the voters. It's a tool.  
7 It's not part of the legislature.

8 SECRETARY STACY: Okay. Right.

9 CHAIRPERSON TIMMERMAN: Look. Look. Look.  
10 Inside the lines. All straight lines.

11 MS. PARGEON: Wow.

12 FROM THE FLOOR: Molly did good.

13 CHAIRPERSON TIMMERMAN: Okay. Anything  
14 else?

15 Move to --

16 SECRETARY STACY: Do you want to make a  
17 motion to --

18 CHAIRPERSON TIMMERMAN: I want to make a  
19 motion to adjourn.

20 MS. PARGEON: I second it.

21 SECRETARY STACY: Everyone in agreement, say  
22 "Yes."

23 (Vote taken.)

24 SECRETARY STACY: Anyone opposed to that and

1 want to stay here longer?

2 (No response.)

3 SECRETARY STACY: Motion passed.

4 We're adjourned.

5 - - -

6 And, thereupon, the proceedings were  
7 concluded at 8:10 p.m.

8 - - -

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