

Zoning Commission

April 8th

2009

ATTENDING:

Larry Schrader
Janelle Albertoni
Bill Arnold
Dave Duma

Ron Mishler
Jim Demboski
Terry Johnson (Voting Alternate)

The meeting was called to order by Mr. Schrader at 7:06 P.M. with a roll call.

Mr. Schrader then presented his and Mrs. Albertoni's solution for bringing an alternate commission member to the table for voting purposes in the event of an absence. The plan is to "alternate the alternate" give each alternate commission member the opportunity to vote. With the absence of Mr. Yeargin, Mr. Johnson will join the commission at the table this evening.

Mr. Schrader requested the commission review the prepared minutes from the March 11th meeting.

During review of the minutes the topic of putting out a press release of the most common zoning violations was brought up for discussion. The commission as a whole deemed it a good idea. Mr. Schrader requested the secretary speak to Mr. Albertoni for a report to publish.

Motion was made by Mr. Schrader to modify the minutes focusing on the paragraph including the Zoning Resolution revision of SEC 403.6. Removing "change it" adding "make the originally approved correction". The motion was seconded by Mr. Arnold, all voted in favor of carrying the motion.

Mr. Schrader wanted to review the question Mr. Mishler posed about indexing the revisions to the Zoning Resolution. One suggestion was to use footnotes. Another idea presented was to index the changes on an additional page. Indexing seemed to be the more popular option but was left to future discussion.

Mr. Duma made a request that an exception be made for the 4H kids from being included in the 2-5 acre rule (page 31). Or if not being completely left out of the rules maybe allowing them a reduced fee for a conditional use variance to raise the animals when they present a 4H card. The reduced fee was something everyone liked the sound of, but the commission would need to find a place to include this item in the resolution and speak to the trustees about the reduction in fees.

Mr. Arnold made a motion to approve the minutes as revised, seconded by Mr. Duma. All votes in favor of approving the modified minutes.

Mr. Schrader asked Mr. Mishler to present the items he handed out prior to the meeting. Mr. Mishler stated the items; a memo from Todd Peetz Director of the Regional Planning Commission, a survey from Highland Square, and a chart showing the Land Divisions & Subdivisions in Portage County were only handed out as food for thought.

Mr. Schrader asked Mr. Mishler about the recycling bins and the terrible shape the area is in. Mr. Mishler replied that a new person has been hired with a part of his job responsibilities being the clean-up of the area.

Mr. Schrader wanted to move into the revision of the resolution at this time. He then posed the question "do we change the Agritourism to Agricultural on page 106 SEC 501.13 Signs Requiring a Zoning Certificate in the Schedule 501.13 table of the Types of Signs Requiring Zoning Certificates Item 2". Motion made by Mr. Johnson to change it to Agricultural, seconded by Mr. Arnold, all votes in favor.

The next item Mr. Schrader wished to review was SEC 801.1 Procedures For Filing An Application Part B, number 3. On December 17th, 2008 the commission added the word "all" to the section, the motion was made by Mr. Schrader and seconded by Mr. Duma to have the line read

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“A list of property owners adjoining and within 500 feet of all the property lines of the subject property, as they appear on the county auditor’s current tax list or treasurer’s mailing list.” All votes of the roll in favor of the motion.

Mr. Schrader then wanted to compare the differences in the wording on pages 14, 42, and 130 for “Home Occupations” and “Home Based Business”. After some discussion Mr. Arnold stated the difference is no retail sales allowed with “Home Occupations” (page 130) and the commission decided no changes were necessary. Then Mr. Schrader found on page 132 that two (2) items in Sec 801.3.16 Part D number 1 and number 4 were previously modified. On May 7th, 2008 number 1 was shortened to read “1. The basis of calculation for the total area that may be used for the home based business is twenty-five percent (25%) of the gross floor area of the residential dwelling unit.” Then number 4 was shortened on June 11th, 2008 to “4. Any number of home based businesses per dwelling unit is permitted, provided that all of the conditions provided herin shall be complied with collectively, as if determined for a single use on the site.” Motion made by Mr. Schrader to apply these changes, seconded by Mr. Duma, and all commission members voted in favor.

Next on the agenda Mr. Schrader wished to add to SEC. 1012 Notice Of Hearings on page 168. Motion was made by Mr. Arnold to add in parenthesis in mid sentence “Subject to SEC. 801.1.B.3” to read as follows “All notices shall be sent to addresses (subject to SEC. 801.1.1.B.3) given in the last assessment roll.” Motion seconded by Mr. Schrader and all commission members in favor.

Mr. Schrader wanted to mention cleaning up the last noted changes when the book is rewritten for the new items. He also requested revised copies of the sections this commission has changed the last few months to prepare for a hearing.

Mr. Schrader then requested as many members of the commission as possible attend the “Essentials of Zoning Seminar”. As of now those sure to be attending are Mr. & Mrs. Albertoni, Mr. Arnold, Mr. Demboski, and the secretary. Mr. Mishler stated he will check with the Trustees for those present to be paid for attending the seminar.

Mr. Schrader asked if there was any further discussion about the 4H aspect of the zoning restrictions. After further discussion it was agreed upon to leave the subdivision portions as is. Outside the subdivisions anyone can claim agricultural use and have a 4H project.

A quick review of Mr. Mishler’s mention of the fire department location was found to be “all good”.

Mr. Mishler said the Regional Planning Commission would like a window for the Zoning Commission to review small windmills.

The next meeting will be held May13th, 2009 at 7:00 P.M.

Motion to adjourn made by Mr. Duma, seconded by Mrs. Albertoni, all in favor.

Larry Schrader - Chairman

Adam Bey – Zoning Com. Sec.

Motion made during the May 13, 2009 meeting by Mr. Yeargin and seconded by Mr. Demboski to accept the minutes with the addition of “page 31” to paragraph six (6) as suggested by Mr. Johnson. All Commission members voted in favor of the motion.