

PERRYSBURG TOWNSHIP ZONING COMMISSION
26609 Lime City Road
Perrysburg, OH 43551

ZONING COMMISSION MEETING
December 14, 2009

The Perrysburg Township Zoning Commission held a meeting on December 14, 2009. Robert S. Black, Chairman, called the meeting to order at 6:00 p.m. A roll call was taken. Grant W. Garn, Zoning Inspector, was also present, as well as members of the Board of Zoning Appeals, Gary Britten, Trustee, and John Hrosko, Administrator.

MEMBERS PRESENT: Robert S. Black, Jeff Schaller, Carol Warnimont, and John J. Benavides.

MEMBERS ABSENT: Ronald M. Hanna and Jeffrey Normand.

MEMBERS OF THE BZA PRESENT: Russell Sturgill, Russell Miller, Elsie Hetman, Bill Irwin, Bob Warnimont, and James Bennett.

MEMBERS OF THE BZA ABSENT: Jeffrey D. Justus.

APPROVAL OF THE AGENDA: Mr. Black asked if there was a motion to approve the agenda. Mr. Schaller moved with a second by Mr. Benavides to approve the agenda. A roll call vote was taken. Yes votes by Mr. Schaller, Mr. Black, Ms. Warnimont, and Mr. Benavides. Motion carried 4-0-0.

APPROVAL OF THE MINUTES OF 11/9/09: Mr. Black asked if there was a motion to approve the November 9th, 2009, meeting minutes. Ms. Warnimont moved with a second by Mr. Schaller to approve the minutes. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Schaller, Mr. Benavides, and Mr. Black. Motion carried 4-0-0.

Mr. Black asked if there was anyone in the audience that had any comments they would like to present to the zoning commission. He said seeing that there are none, they will move on to the next item.

DAVE KUHN OF FELLER & FINCH WILL LEAD THE DISCUSSION OF POSSIBLE CHANGES TO THE ZONING RESOLUTION. Members of the BZA will be present to help with the discussion.

Dave Kuhn addressed the zoning commission regarding the possible changes to the zoning resolution. Mr. Black said to Mr. Kuhn that as he can tell, they have all of their BZA members here. Mr. Kuhn said in the back row, and Mr. Black said right. He asked

if he had enough copies for them also, and Mr. Kuhn said he brought 15. He counted how many they have. Mr. Black said that will be plenty for everybody. Mr. Schaller said for everybody, yeah. Mr. Black said and then Mr. Britten will probably want some also.

Mr. Kuhn said this is the off street parking. He then said to Mr. Garn what was it, about a couple of weeks ago, and Mr. Garn said uh-huh, they went through these, and there were a few things here that were bugging them for awhile. He said he will just go over them real quick here. There is not a whole lot, but there are a few of them.

On page 2 under automotive, machinery sales, and/or service establishments for the lots themselves where they put the cars, they added on the plus one space for each motorized vehicle in the sales lot. Now, since they never know how big the sales lot is, they are going to have to kind of rely on the people presenting it. But they don't want it in such a way that everybody is parking all over the place. They have to have it a little bit organized in their parking lot. So that's what they are trying to acquire there.

On page 4, this was sort of a heartburn thing for Mr. Garn and him. He added a gasoline convenience store use. They had one for gasoline, they had one sort of for a service station, but they don't have one for a convenience store that has gas pumps. So he looked up the gross footage area for parking spaces, and that came to be about 250 gross area per one parking space. Then he said one space per each pump which made sense. Mr. Black said but the pump area is not considered a parking space. Mr. Kuhn said well, some places allow it, and some places don't. So that's something they can think about. Mr. Black said yeah, he thinks they ought to make that like it's the next question that is going to come up. Mr. Kuhn said right. He said they can create it as a pump. Do they want the pump space to be counted as a parking space. Ms. Warnimont asked didn't they consider that when they talked about that Marathon up there. Mr. Black said yes, they did. Ms. Warnimont said she thinks they discussed that as included in there as part of it. Mr. Black said yeah. Mr. Kuhn said because a lot of people will park, get gas, and then go inside and buy something, so it's sort of like being used as a parking space. A member said right. Mr. Kuhn said so if that's what they want to do, he can kind of put it in parentheses, you know. It was commented if the board wishes. Whatever the board wants. A member said they get one space per pump, and a lot of times they have 2 parking spots there anyways. So he would keep that. Mr. Black said make the pump area the parking space. Okay.

Mr. Black asked have any of these parking issues, do they come the BZA very often. Obviously their rules now must fit pretty well, or otherwise they would be getting a lot of variances for that issue, and he asked if that was fair to say. Mr. Garn said he can't remember whether they went for the hotel, the Comfort Suites, or not. He said yeah, Bob is shaking his head. Yeah, they are shaking their head yes. He then said they all can say things, too, he thinks, and interject. Ms. Hetman said it's a little hard to hear

everybody. They have to talk up or something. Mr. Black said they would like to have their comments, too. And obviously if there are issues coming towards their commission on a somewhat regular basis, those are issues that should be addressed in the resolution. They shouldn't have to talk to the BZA on a regular basis. Mr. Kuhn said right. Is there something with parking, off street parking that comes to them a lot. Is it common. Mr. Sturgill said almost never. Mr. Kuhn said never. Okay. This must be a heart burner for Mr. Garn and him, though. A member said they might have had one for that Sunoco station at I-75. Mr. Sturgill said yeah, that's the only one that he can recall. It was commented that usually it only comes into effect is under expansion where they want to add to what they already have, and they are restricted as far as the amount of space that they have. Mr. Kuhn said somebody comes to them because they can't meet the parking requirement, period. It was commented right. Mr. Kuhn said okay. Well then, those are specific ones that should go to them. That's fine. Okay.

Mr. Kuhn continued saying let's see. The next one here is on page 5 on the last, doctor's office, he and Mr. Garn ran into this problem. Where it says professional offices for doctors, dentists, and some other professional offices, and that's what it said before. Sometimes they would come to them and say well, these are professional offices, so they would try to squeeze the professional office requirements for the doctors and vice versa. Once in awhile they would do that. So what he did here, he took the professional offices off and said just offices of doctors, dentists, and similar health care professions. So that will define doctor's office, dentists and health care professional offices are going to be different than what the professional offices are in the beginning part. So there are kind of two separate criteria. And he and Mr. Garn had a problem with that in the past with people trying to, you know, do one thing or another. The way it's set up right now, professional offices are professional offices. Business offices, professional offices, one space per every 250 square feet, where in a doctor's and dentist's or other, it depends on what the office is, and what they do there. There is less requirements and more requirements, and they thought that that should be very much distinguished between one kind of office to another kind of office.

Mr. Sturgill said that last one sure looks like it needs clarifying. Mr. Kuhn said pardon. Mr. Sturgill said the last one where it says other, the parking space requirements for use not specifically mentioned herein shall be the same as required for a use of a similar nature. What the heck does that mean. Suppose it's a real estate office. Mr. Kuhn said that would be a professional office. Mr. Sturgill said it does not say professional offices here anymore. He took that out. Mr. Kuhn said no, no, it still says it. It's on the front. It's on page 3, business offices and professional offices. It's the third one down. It was commented you might be able to eliminate it with a capper at the beginning, or under each category it says for similar use. Mr. Kuhn said well, you could always do that on every single one of them. Members agreed by saying yeah. Mr. Sturgill said he did not see that one. It was commented because otherwise you have a capper. Now you have to not only choose the category for whether it's an other of that category. Mr. Kuhn said right. Or instead of putting it after every one, similar

use, you could write in in the wording or something like minimum number of spaces required, blah, blah, blah, the number shall not be less than the following. You know, you could write verbiage in there like that. It was commented use, or any other similar use. Mr. Kuhn said similar use; right. You could do that. So that way you would not have to put similar use there in every single one. If that would suffice.

Mr. Garn asked now are they providing too many parking spaces in some of these shopping areas than what they see normally. Mr. Kuhn said well, compared to the City of Perrysburg, yes, you do more, but he has seen some that even have more than that. So it's how far you want to treat on the parking spaces. Mr. Garn said right. He said this may come up. He has not talked to the board yet about the possibility of having that meeting with Kirby Date, and talking about storm water and parking areas. Mr. Kuhn said right. And he guesses, you know, the typical things you could do, you can keep the parking spaces like they are, but if you feel like you don't need it as an option, then maybe, you know, you could, you know, waive a requirement, or have it set up that they can come to them to prove that they don't need that many parking spaces. And you guys could waive the requirement without going to the BZA, too, if they show they don't need the extra parking spaces. Or if they don't need the full parking spaces either, you could create more green area which could benefit in the storm water quality and things like that.

Mr. Black asked well, when can the zoning commission resolve issues that are not compliant with the zoning resolution, and at what point do they have to go the BZA. Mr. Kuhn said well, they could write in here, you know, specific requirements, and then they could have options, because you do have that now with landscaping. Mr. Black said right, landscaping issues, but he was thinking something else. Mr. Kuhn said they could do it with the parking spots, too, but somehow they have to write in an incentive for them to eliminate some parking spaces, and he can get some verbiage for that, because there is verbiage out there.

What Mr. Garn was talking about, they have verbiage that, you know, it gives them incentives to eliminate some of the parking spaces because it saves on water quality and things like that. Mr. Garn said right. This is something that he will bring up right now, and he has talked to Mr. Britten and the trustees that they are trying to work out something where zoning is going to take care of more of the storm water issues, and he asked Mr. Britten if that would be correct. Mr. Britten said in fact, he brought one of Mr. Sisco's cards, and Mr. Kuhn is supposed to call him, and he is going to feed him some information that they probably should have. Mr. Garn said yeah, and because it's going to be a zoning resolution issue, of having a meeting that's Middleton Township, Lake Township, and Perrysburg Township are the ones required here in Wood County to take care of more storm water issues, and having a joint meeting in a few months here. It was asked they are required to do it, and Mr. Garn said well, they may be required to do more things. He does not know. This is something new. Mr. Britten said to Mr. Black that it's going to be easier if it's done through the zoning. That's what

they have heard from the very beginning, that if they can incorporate it in the zoning book, it's going to have a little more teeth, and they can enforce it better. Mr. Garn said right. Mr. Britten said regulations, they have no choice but to comply with them, it's just how it's going to be enforced, and the easiest way. Mr. Garn said Kirby Date is with that Ohio Lake Erie Commission, and she would like to do a presentation at sometime, but it would be like an hour and a half long, not for a meeting like this. But they could for all the different townships. Mr. Black said and that's the joint meeting he was talking, and Mr. Garn said to see if they could arrange to have a joint meeting. And he has not even talked to the other two townships yet to see if they would be thinking about coming along, but he would think they would.

Mr. Black asked Mr. Schaller if he had anything. Mr. Schaller said well, just on the parking spaces, if they need the spaces for whatever use of the facility, then you don't want to allow them to eliminate those spaces if they actually need them to accommodate the customers. Mr. Kuhn said right. Right. It would be like an option. They created a set-up for them to eliminate them. And he thinks this is kind of what Jason Sisco was talking about, you write it right in the zoning code, you create a set-up for them not to have as many parking spaces. Now, that does not mean, you know, that if they need them, not to put them in there. And usually how they do that is if they need more parking spaces, you make them have a heavier landscape requirement. Less parking spaces, you kind of back off on it a little bit. So basically if they put more parking spaces, then they are spending more money. So he is trying to think. There is another thing to do with lighting, with storm water, and stuff like that. There are definitely incentives you can do with these parking spaces. Mr. Schaller said and just offhand, this is appropriate as the square foot area of the building gets larger, they need more parking spaces per that. Mr. Kuhn said yes. Mr. Schaller said okay. He did not quite understand that, but okay. Mr. Kuhn said and that's also to the advantage of them if they have an incentive type of thing that if they do enlarge the building, that they know they don't need the extra parking spaces. Then they don't have to build that bigger lot, and then they don't have to do all the storm water and all that. The whole intent and purpose of this whole storm water, the impervious area, the roof area and the parking areas, is to try eliminate them and make them as small as possible. So that's the whole purpose of it, because the smaller area you have to treat, the better it would be in the long run. It was commented so parking spots are going to be based on the square footage instead of occupancy; is that what he is saying. Mr. Kuhn said no, no. Some of them are per occupancy. It's the same set-up as it was before, but then, like he said, what they can do is by incentives, if they don't need them all, because they have a track record on another building they have built, or something like that, and they can prove to you that they don't need it, then you can create incentives for them not to build them, and that might eliminate some of the extra, you know, landscaping. You know, you might not need as much landscaping and things like that. It also is an incentive, too, because they don't have to put so much storm water treatment in either. So there are incentives in there for them.

Mr. Benavides asked but aren't the parking spaces per square foot intended to address the health and safety issues, because it's assumed that based on a certain amount of square footage, you are going to have so many people or so many parking spaces. Mr. Kuhn said right. Right. Mr. Benavides said and then you have to balance against that access, for example, by emergency services. He is having trouble reconciling those issues against surface water run-off and treatment issues. Because on the one hand if you have 10,000 square feet, you need to have this number of parking spaces. We will let you landscape a little bit if you eliminate some of those. He is not sure how that pays out. Mr. Kuhn said where it really pays is in big shopping centers. That's really where it plays into. Because the only time you see the parking spaces number being used is during and around Christmas. Other than that, they are hardly ever used. Mr. Benavides said oh, so you would be limiting it to certain uses. Mr. Kuhn said right. Mr. Benavides said okay. Mr. Kuhn said like the doctor's office, you need 10 parking spaces. Okay. Let's say he says he needs nine. What's one. One is not going to matter. Stuff like that. It really comes into play with the big areas. Mr. Benavides said they may want to look at focusing those incentives on those particular places then, and Mr. Kuhn said right. Correct. Mr. Benavides said okay.

Mr. Irwin commented with the new McDonald's, the owner came to them and convinced them that the majority of their business was drive-thru, and they didn't need as many parking places based on the square footage of the building. Mr. Kuhn said and that's probably true, because if you notice, most of the McDonald's, there are not a whole lot of people parking in the parking spots. Just by visually looking at them, it makes sense.

Mr. Black asked Mr. Kuhn if he had other areas he would like to talk about, and Mr. Kuhn said yeah. And this is something from Mr. Garn on page 7. He needs him to look at this, too. This parking in residential areas under A, right now it says no off-street parking shall be permitted in any residential district other than such as used exclusively, in connection with, or at a residential, or facility, or dwelling, or apartment building. He said Mr. Garn wanted him to have it say that except for you can park in your driveway or a designated parking area. That's what they talked about, and Mr. Garn said right. Mr. Kuhn said and then also on top of that put down all parking areas shall be paved and hard surface or dust free. He asked Mr. Garn if it is a problem that he has been having with that. Mr. Garn said well, if you get out into certain subdivisions that they have that have very small lots, too many people, too many cars, that they are right in the grass all the time, and there are a lot of issues with that. And people just sort of leaving cars for long periods of time in grassed areas, and they are not driveway areas. A lot of it are homes with a single car garage, single car driveway, and they have three or four kids. So there are cars parked all over the place. That poses problems. And the Perrysburg Heights Subdivision, they have a lot of problems there with any type of parking areas. The lots are not big enough. Mr. Kuhn said right. So basically with this they have to park in the driveway, or if there is a designated parking area, you know, next to the driveway that they might have paved, they have to park in there. Or he guesses park out in the street if it's allowed. Mr. Garn said there

are going to be some problems. These are just things to think of, problems and areas that they see, stuff he gets complaints about.

Mr. Benavides said so parking along the street, actual parking on the street, not parking up on the lawn along the street; right. Mr. Kuhn said right. It's a problem Mr. Garn has been having. Mr. Garn said and there are places where people like to stone their area. It's actually public right-of-way out there, and they just want to stone it and put more cars out there. It was commented or they pave it. Mr. Garn said well, some people will pave them. It was commented they paved it. Mr. Garn said uh-huh. He is not sure it was ever intended, some of these things. Mr. Kuhn said yeah, they are trying to keep them in a driveway. What Mr. Garn wants to do is keep them in the driveway or in a designated area.

Ms. Hetman said if a person has that problem, can they make another say on the side of their house, have it black topped just for their cars. Mr. Kuhn said yeah, that would be like a designated area with that. Mr. Garn said but they have to have enough room. Mr. Kuhn said so it would end up being like a two-lane driveway, basically. Ms. Hetman said yeah. Mr. Kuhn said even though if you have one garage. Mr. Benavides said but you could not pave the area along the street. Mr. Garn said that's something they would have to work out if the trustees would ever want anything like that to happen. Mr. Kuhn said right, because actually in the right-of-way, you should not do that. Mr. Garn said right. He knows areas like that. He knows. Mr. Kuhn said and those areas have resolutions or ordinances that show the right-of-way unless it's on the street.

Mr. Garn said Ms. Warnimont just showed it. Yeah, it's right in there. Ms. Warnimont said it's in there on page 7 about it in the required front yard. Nope, it's not permitted. Parking areas should be set back in conformity with established setback requirements. Mr. Kuhn said what this really basically says is you have to park in your driveway. And if your driveway's in the front yard, you can park in the driveway or the designated area, and that's it. You can't park it in the grass area and all that.

Mr. Garn said some people, and all of a sudden you can see where they have paved right next to their house, but their lot is only so wide, and they are supposed to be so many feet away in their resolution from their lot line. Mr. Kuhn said right. Uh-huh. Mr. Garn said some communities allow them to pave right up to their lot line. Mr. Kuhn said theirs is not set up like that, and Mr. Garn said no, theirs is to 2 to 4 feet away. Mr. Kuhn said he thinks so, yeah. So think about it if they want to change it in any way. Mr. Garn said these are thoughts when you are driving around, you get in different subdivisions, just sort of look and see, because they are all different. Mr. Black said these are issues they are trying to address because you know about them. Mr. Kuhn said Mr. Garn has had problems with them. And Mr. Garn wants to be able to go to someplace, and if they have cars parked in their grass in front of their house, he wants to be able to go to them and say either move them or he gives them a zoning violation.

Mr. Black asked Mr. Kuhn if he had other items, and Mr. Kuhn said yeah. He said on page 9 under section C, Mr. Garn wants him to take off the outdoor parking for the following are not permitted to exceed 48 hours. He just wants to take the 48 hours, period. Mr. Black said they also need to eliminate to exceed; right, and Mr. Kuhn said right. Yeah. And he believes that was it for off-street parking.

Mr. Black said and no trees shall be planted in the right-of-way, is that new. Mr. Kuhn said no, that's old, and he does not know how old. Mr. Black said that's what he thought, but it was in bold, and that's why he was wondering. Mr. Kuhn said and he thinks that came from a department. He does not think they allow any trees in the right-of-way, even though that he thinks that the county planning commission is trying to push for trees in the right-of-way. Mr. Black said the City of Perrysburg also. Mr. Kuhn said too; okay. Mr. Black said so they are not making any changes there, it's just bolded. Mr. Kuhn said yeah, that's from the previous. That's right.

Mr. Kuhn said okay. The next one is the sign regulations. And these are mainly changing it like Mr. Garn wanted it. There are a few of the sections that were not labeled right, and they changed that. That's typos from the original. On page 18 under section G, 5-a, Mr. Garn wanted him to change Realtor to real estate agent. Then on the next page on page 19, section 2, they are moving this section because this mainly has to do and talk about maintenance and repair of a sign. They are moving that section toward the back here. They are moving that section under section M, maintenance and repair. That did not seem to be in the right place. And he does not think there is much else on here. He thinks that was it on the signs. Mr. Black said the wording there on page 26 should be provided with a d. Provided it is due to a change. Third line from the bottom. Ms. Warnimont said fourth line. Mr. Kuhn said oh, yeah. Mr. Black said provided. Mr. Kuhn said yeah, it's past tense. But that's all with the signs.

Now, this is where the BZA becomes important. There was something in the sign regulation that gives them grief. Does something always come up on you guys that you always have to deal with that they could maybe change in here to help them out. Or is it pretty good. Ms. Hetman said well, there is nothing as far as she is concerned that he can do, because the signs that are up are on unzoned property. Mr. Kuhn said right. There is nothing you can do with that until you get it zoned. Mr. Sturgill said on signs, they already have two the same. Mr. Kuhn said okay. Okay. Mr. Sturgill said they cover the whole thing. Mr. Kuhn said so it's case by case, and it's all different signs. Mr. Sturgill said there are different signs permitted on the face. Mr. Kuhn said he knows. That's always a big one in construction. Mr. Sturgill said well, it only comes up now and then. Mr. Kuhn said yeah, he knows. It was commented signs are so fact specific, where they want to put it, and what size they want it to be, what it's going to look like, and all that, and he thinks it hard. He thinks they have the basic parameters pretty well set. Mr. Sturgill said he has never found a problem with the sign

ordinances. It was commented no, it's the application to a specific case. Mr. Kuhn said okay. Okay.

Mr. Garn said this is just sort of like a question for Mr. Britten, because the only thing they do have for signs that do end up in the public right-of-way for like boulevard signs and things like, and he did not know if there were any thoughts about those kind of things. Like Oakmont in the right-of-way. Because they are then passing some liability on to the trustees. Mr. Britten said he guesses in one breath they are saying they don't want trees or anything in the right-of-way, and then they turn around and do something. He was not for allowing them to put that sign in the boulevard up there, but it's there. And they had one out there before, and then it went bad, and they redid it, and one got taken down when they redid the Tuffy is out there, but he thinks you want to be careful allowing them to put anything in the right-of-way. Nothing should be placed in the right-of-way at all. Mr. Black said other than mail boxes. Mr. Britten said other than a mail box. It was commented this time of year they ought to be up in their driveways. It was commented some of them will be.

Mr. Warnimont said the only problem he has with this not allowing them to put flowers or small shrubs in the right-of-way is that they are telling a builder he has got to do this to his property, and we are saying that our property, you don't have to do it because it's us. You know, he can see a giant tree or whatever, no, but small bushes in some of these right-of-ways, they heard the fight. It was commented well, from the visibility problems. Mr. Warnimont said it's a small thing, you know. It was commented yeah, but eventually they will grow up.

Mr. Britten commented, it's like you go to the post office, and drive out of there in a pick-up truck, and try and look to the south. You can't see, the tree branches are in the way. It's dangerous. And he just does not think it's a good thing. First of all, the right-of-way is a utility right-of-way, and that's what it's for. It's not to plant anything. And then he thinks what Mr. Warnimont is saying is they are telling these businesses to plant them, but you are not telling them to plant them in the right-of-way. They should fall under the same thing. If you are directing them to plant bushes and everything else, that should not be in the right-of-way either. That right-of-way has to be cleaned and cleared because that's an easement. It's not for anything else.

Mr. Kuhn said plus the township does not have like a tree commission or a tree board that will go out and trim trees and stuff like that like cities do. That's why the cities usually have the trees, because they usually have people that go out and trim them, and make sure they are not a problem in the right-of-way. You guys don't have that.

Mr. Garn said they could put some of that in there probably as to the kind of trees. Mr. Kuhn said yeah, you could put down the type of trees, you know, that they grow so high. But then they are in the right-of-way, then you have to create ordinances, you know, like you do with sidewalks basically that the residents have to take care of. And

then if they don't take care of it, who takes care of it. Well, the township would. But the township does not have the manpower to do it, so you are stuck back to where you are.

It was commented it's one of those situations where if you set a rule, and then you start making exceptions to the rule, then you have a problem, just like the right-of-way. And if a property owner has gone and planted trees or bushes in the right-of-way thinking that nobody is ever going to come through that right-of-way. But when they do and start taking their trees and bushes out, then they are very upset because they have had it there for 10 years. Well, you had it there for 10 years, but that does not mean that it was not the right-of-way. And when they come through, they have every right to take the trees and bushes out. So you start making exceptions to the rule, it's going to come back to haunt you down the road. Mr. Kuhn said and it's better off. Okay. If you want to stick it like this, that's the way it is. It was commented that personally he thinks that's the way it's going to be. Mr. Kuhn said and then, you know, if there is an exception, they would have to come to you guys, and they would have to come to the trustees, and you guys would deal with it like that basically.

Mr. Black asked Mr. Kuhn if he had other areas. Mr. Kuhn said yeah. That's the end of that. And then the last thing is, and he is not going to go over this. This is just a sample of a wind turbine zoning requirement, and he just basically wants them to read it over and tell him what they like, and what they don't like. These wind turbine requirements are going to go into a supplemental zoning spec. And this is set up more for a city. Mr. Black asked him what does he mean by supplemental zoning. Mr. Kuhn said well, you would have supplemental conditions. Mr. Black said oh, okay. Mr. Kuhn said odds and ends and stuff like that. Basically he just wants them to read it, and let him know what they like about it, and what they don't like about it. And it's sort of set up as a drop zone. It has more or less the setback for it. And they do have a specific height on this one here, but it can be any height, or you can do whatever you want to with the height on it. Mr. Black said if they have any comments, Mr. Garn will get back with him on that, and Mr. Kuhn said yeah.

Mr. Garn said another comment that they need to talk about are sort of that same right-of-way issue, but it's like ditches that go through some of the subdivisions, and planting things near them, fences, sheds, and some things like that.

Mr. Kuhn said that wind turbines would get in, particularly the high ones, as they call them the horizontal ones, you know, stuck up on a pole, 40, 50 feet, you know, to make it work. If you are in a subdivision, there are not a whole lot of places you could put those things without dropping and falling on a neighbor's property. And you need to have some requirement on that. But they are making now new wind turbines that are called vertical wind turbines that are only about 15, 20 feet high. Now, those can go on. Based on these requirements, those could go in subdivisions and probably would work. But then again, you have a noise thing, and he has a thing in here about

noise and all that. So look it over and see what you like about it, and what you don't like about it.

And right now he is working on the supplemental area. There are going to be quite a few changes on there. And also he is working on the site plan area right now, and he is trying to get the storm water issues on the site plan. And he is going to get with Jason maybe before that, and maybe some of that will have to go in the supplemental area, too. So that's where he is at so far.

Mr. Black asked him when does he expect to have the whole package put together. Mr. Kuhn said he was going to have those other two probably in January, and then finish everything up in February. Mr. Black said so maybe set it for public hearing in March, and Mr. Kuhn said March, yeah.

Mr. Black asked if there were any comments from the members, and there were none. Mr. Black thanked Mr. Kuhn.

Mr. Kuhn said you know, on all the ones he has distributed so far, if you wanted to make changes, he would like to have those all changed before that public hearing, before they get to the public, because he wants them. and he wants the BZA, everybody, you know, on the same page before we go to the public. So if there is something they want changed, he wants to do it now before they do that. And he guesses get the information to Mr. Garn, and Mr. Garn will get it to him.

Mr. Garn said they are running into some problems with setbacks on the corner lots. Mr. Black and Mr. Kuhn said right. Mr. Garn said to figure that out. Mr. Kuhn said yeah, they are toying with that. He and Mr. Garn are both toying with that thing about where you are as a side yard, especially in corner lots, because you do it one way, you have problems with the fences and things like that. And you do it another way with other problems. Mr. Garn said there are a number of subdivisions that have already been plotted, and Mr. Kuhn said right, and Mr. Garn continued saying according to their rules the way they have been, which will cause them problems. Mr. Kuhn said but if they change anything now, those would be grandfathered, so they will basically follow the old way. Mr. Garn said right. They will figure that out. Mr. Kuhn said so they are kind of toying with that right now. There is no easy answer.

Mr. Black said that's why they have a board of zoning appeals; right. It was commented that's right. Mr. Black said if they did not have those issues, they would not need a board of zoning appeals. Mr. Kuhn said and really just for the whole board of zoning appeals, if there are some issues that they have had problems with in the past, let Mr. Garn or he know, or something like that. Because if there is something that just bugs them, and if it's something that they can correct in this, they will do it now. It would probably be a few more years until it gets approved again. Mr. Garn

said they have some things that end up going to the board of appeals, like somebody is putting in a pond now that's going to go to the board of appeals.

Mr. Garn was wondering about the ditches in the subdivisions, whether some of the things people want to do near the ditches need to be appealable items or not. Mr. Kuhn said right. Mr. Garn said people putting up fences, and they want to plant bushes and things like that. Mr. Kuhn said and with the storm water utility things going on, they are required actually to put filter strips between the top of the bank and where the development starts, although it's just a grass area basically. Or, you know, a natural area or whatever you want to call it. So that's becoming a big thing. And that could be part of the easement for the ditch, but that's something that will show up in your regulations some way or another. It will have to, be it just to meet with Wood County, what they want everybody to do, too. Mr. Black said he means storm regulations, and Mr. Kuhn said right. Right. So that's part of the changes in the zoning, you know, for the storm water. Mr. Black said they will be able to do that and incorporate it. Mr. Kuhn said uh-huh. He said they will just, you know, make it a ditch setback, or something like that. They will just call it like that, you know. So it can be regulated like that.

Mr. Black asked if there were any other comments or any other issues they wanted to talk about this evening, and there were none. He then asked if there was a motion to adjourn. Mr. Benavides moved with a second by Ms. Warnimont to adjourn. All members were in favor, and none were opposed. The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary