

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

ZONING COMMISSION MEETING  
November 9, 2009

The Perrysburg Township Zoning Commission held a meeting on November 9, 2009. Robert S. Black, Chairman, called the meeting to order. A roll call was taken. Grant Garn, Zoning Inspector, was also present. The meeting was tape-recorded.

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

MEMBERS ABSENT: Jeffrey Normand.

APPROVAL OF AGENDA: Mr. Black asked if there was a motion to approve the agenda. Ms. Warnimont moved with a second by Mr. Benavides to approve the agenda. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Benavides, Mr. Hanna, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

APPROVAL OF THE 10/12/09 MEETING MINUTES: Mr. Black asked if there was a motion to approve the minutes from October 12, 2009. Mr. Hanna moved with a second by Mr. Schaller to approve the minutes. A roll call vote was taken. Yes votes by Mr. Hanna, Mr. Schaller, and Mr. Black. Ms. Warnimont and Mr. Benavides abstained. Motion carried 3-0-2.

Mr. Black said not seeing anyone in the audience, and that everybody is here for the meeting on the master plan, so it would appear there are no comments for the zoning commission.

**DISCUSSION OF POSSIBLE CHANGES TO THE ZONING RESOLUTION.** I get a lot of calls on businesses operating out of homes, wind turbines, and solar panels plus kennels and horses, privacy fencing in side yards, and setbacks for accessory buildings and small sheds. Concerns that the trustees may have over PUD's.

Mr. Garn said he met with Mr. Kuhn today, and they talked for a few hours about different things. But he just had a call twice today about someone wanting to operate, and today's call was a physician's office out of a residential home in an agriculturally zoned area. He told them they couldn't. But he gets these calls, and he is guessing there are a fair number of people that live in the township that operate some form of business out of their home in varying degrees. He did not know if there were any thoughts from the commission on that.

Mr. Black said in talking to Mr. Kuhn, did he come up with anything. Mr. Garn said he has not come up with any specific ideas on that, and he thinks he just wanted to see if the board members had any ideas on how far they might want to go with certain things. He has seen up to three and four pages of rules to be fairly stringent, and other things that are not that stringent. They are not all that stringent yet. Mr. Black said he did not have any comments, and he asked if anyone else did.

Mr. Benavides asked what is the definition between working out of the home versus a business. He knows a lot of people that work out of their homes, and that is not necessarily their primary business location, but he thinks nowadays, with the way people are operating, and maybe the way businesses are operating, they are giving their employees a lot more flexibility in working out of the home. It was asked if he meant they are a remote business, and Mr. Benavides said right, a remote business. It may not be their true business address, or it may be, but actually working out of the home as opposed to working in the office. It was commented if they are employed by an employer, not self-employed he means, and Mr. Benavides said right. Correct.

Mr. Black said he thinks the real issue is you either have customers coming and going a lot and/or supplies coming in and out a lot. Mr. Garn said right. Mr. Black said he thinks that is how you want to define it, coming and going, and customers and/or deliveries. Mr. Garn said okay. Right. Mr. Black said both of those create issues. Mr. Benavides said what about whether you are a professional, not a business that sells goods, but rather a professional that sells services. Ms. Warnimont said like consulting. Mr. Benavides said yeah, like consulting or whatever. You don't have delivery trucks showing up at you house or anything like that. Mr. Black said he thinks it then would go to the customer or client. The coming and going has a lot to do with it. If you have 40 or 50 people, or 20 or 30. You know, one or two is one thing, but the more traffic you create. Mr. Benavides said so where do you draw the line. Mr. Black said right, at some point, and that's a fine line, and he guesses he would defer to some of the experts in what they have seen. Mr. Benavides said the expert has arrived.

Mr. Black said these regulations only come about because there has been an issue. They don't ever come about if there is never an issue. Mr. Garn agreed, and so did some of the other members. Mr. Kuhn commented that it's exactly what was said is usually what causes the problem is when you have deliveries, big trucks, or there is people coming and going all times of the day. If it's like an engineer working out of a house, or a lawyer working out of his house, you usually hardly see anybody, and there is not a problem there. But if somebody is creating a business, and they have UPS coming and going all the time, once in awhile you get a semi truck dropping off stuff, that's a problem. So it's like where do they want to define it.

Mr. Black asked Mr. Kuhn if he has seen some resolutions that address those issues. Mr. Kuhn said there are some of them that say just so many trips to a house a day, or something like that. He has seen that before. Or, you know, it is set up in such a way

that it looks like a residential setting, but nothing is going on. You can't tell there is anything going on, it's worded such a way like that. But again, it comes down to the thing is if you are not getting trips to the houses and stuff like. Mr. Black asked him if he would share some of that language with them at some point, and Mr. Kuhn said yeah, he can dig some of that stuff up. Mr. Black thought that would be helpful.

Mr. Garn said some of the other things, you have maybe two or three automotive shops in the township, and you wonder whether they are or aren't, and you will see a lot of cars there all of a sudden. And after the last BZA meeting he had a visit with somebody who went by, and they had a big lift in there, and vehicles are sitting around. Ms. Warnimont said she knows one. Mr. Garn said oh, yeah. Mr. Black said he mentioned a machine shop, those types of things. Mr. Garn said oh, the machine shop. He remembers one when the garage door is opened, and the whole thing is all shelving in there, and they supplied to customers.

Mr. Black asked John if he had any comments along that line. It was commented that there are quite a few different examples out there, but a lot of home occupations are looked at as accessory uses to the principal building, and the definition in the ordinance and the zoning resolution would say that it has to be conducted within the home so you don't end up with a body shop, or machine shop, or tool or die. Some resolutions limit it to what the person that occupies the home, plus maybe one employee. And then there is always a clause in there that it does not generate any more traffic than you would normally find on a residential street. There are qualifiers you can put in there. So a lot of communities don't license home occupations, but they need to have some guidelines that if somebody abuses it, you can go in and stop it.

Mr. Black said to Mr. Garn that he has run into some cases like that, and Mr. Garn said oh, yes. Mr. Black asked Mr. Kuhn if he could work with Mr. Garn on that. Mr. Kuhn said there is another thing about home occupation, too, is signing. You do not allow signing. No signs. No signing is allowed. Mr. Garn said he thinks theirs maybe allows a one square foot sign for a professional, a doctor or a lawyer. Mr. Kuhn said a lot of them you see where they don't allow any signs, period. So that is a decision they will have to make if they keep it the same, or what they want to do. Mr. Garn said because the doctor's office had two different ones. They had Roachton Road or Neiderhouse Road as locations. And then Neiderhouse Road. They have the one where potentially it's a heating and air-conditioning person, you know.

Mr. Black asked are the in-window signs exempt from all of that. Okay. So if you stick it inside the window, it does not exempt you. Mr. Garn said right. Mr. Kuhn said it's what they feel you want to allow them to have. Probably in some residential areas you could probably deal with having them with the sign or something like that. But if you are in a subdivision, you probably don't want a lot. You know, if you are in a five-acre lot, maybe you could get away with something like. But usually subdivisions you usually can't. People will complain. Mr. Black said to Mr. Kuhn if he could share some

of that with Mr. Garn before their next meeting. Mr. Kuhn said yeah, he has a note for himself here.

Mr. Black asked if he has some other things. Mr. Kuhn said he has some things he just wants to go over real quickly. Mr. Garn and he talked about these today. They talked about setbacks for sheds. He guesses that has been a real pain for Mr. Garn. It was asked what for sheds, and Mr. Kuhn said setbacks. And, you know, something to think about is do you want to create a standard setback for sheds, or have what they have now, or even extend the setbacks which they do for houses on to the sheds. Like right now it looks like they have a kind of tier system for their sheds, the smaller ones closer to the property, the bigger ones farther away. So, you know, they will have something to think about what you want to do. But he thinks Mr. Garn needs a little help there to help him out to kind of define it better and take care of it.

Another problem with the setbacks with the sheds is a lot of times easements are not taken account of, and a lot of people will put sheds in easements, and that could become a problem even though they think of sheds as being a temporary. Well, once you have your shed all fully loaded, it's not really a temporary. It's kind of stuck there. So that's something to think about. Mr. Black said keep the sheds outside of the easement areas as well as possible. Mr. Kuhn said yeah. Right. Right. So think about that, what they might want to do on that.

Back to PUD's, the perimeter setbacks. They have talked about that. They probably should set up something, at least a minimum standard for perimeter setbacks. And he does not know if they want to go like worst case scenario like for residential, worst case scenario for industrial, commercial so you could include it in the table. But he wants them to think about that on what sort of a minimum setback, perimeter setback on those PUD's would they like to show on there. So, you know, think about that.

Mr. Black asked him if he had any suggestions. Mr. Kuhn said his suggestion is look at in a residential area, what's the biggest setbacks they have, and that's the minimum. If they want to change things, they can always come to the commission with the PUD and ask for a waiver or whatever on that. But that's his thinking. Mr. Black said let's go with that then. Mr. Kuhn said okay.

Industrial, it's pretty much set. But, you know, again, use the biggest one you have, and the same thing with commercial, use the biggest one you have. (The tape was malfunctioning throughout the whole transcription process up to this point, stopping, jamming, so further transcription is not possible. I tested my unit with the BZA tape and had no problems at all.)

Mr. Black asked if there was a motion to adjourn. Mr. Schaller moved with a second by Mr. Benavides. All members were in favor, and none were opposed. The meeting was adjourned at 6:38 p.m.

Respectfully submitted,

Grant W. Garn,  
Recording Secretary