

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

ZONING COMMISSION MEETING
March 8, 2010

The Perrysburg Township Zoning Commission held a meeting on March 8, 2010. Robert S. Black, Chairman, called the meeting to order. A roll call was taken. Grant W. Garn, Zoning Inspector, was also present. The meeting was tape-recorded.

MEMBERS PRESENT: Robert S. Black, Jeff Schaller, Carol Warnimont, John J. Benavides, Ronald M. Hanna, and Richard W. Kelsey. Mr. Garn said for the members that don't know him or don't remember, he does not know if they met. He introduced Mr. Kelsey. Mr. Black said good evening to Mr. Kelsey.

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

APPROVAL OF THE 1/11/10 MEETING MINUTES: Mr. Black asked if there was a motion to approve the meeting minutes of January 11, 2010, the regular meeting. They already approved the organizational meeting. Ms. Warnimont moved with a second by Mr. Schaller to approve the January 11th meeting minutes. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Schaller, Mr. Hanna, Mr. Benavides, and Mr. Black. Motion carried 5-0-0.

APPROVAL OF THE 2/8/10 MEETING MINUTES: Mr. Black said to Mr. Garn for their February 8th, 2010 meeting minutes, they do need to make the change under LEAD, that it's LEED. Mr. Garn said he thinks that's probably his fault. Mr. Black said okay. He said and they might want to put in there what it stands for. Mr. Garn said okay. They want to say Leadership, and Mr. Black said Environmental and Engineering Design. A member said correct. Mr. Schaller said as defined by the US Green Building Council. Mr. Black said as defined by the United States Green Building Council, because somewhere in there someone might want to know exactly what that is. He thinks it was a good discussion that they had. Mr. Garn said just so the other members know, that there were real problems in typing the minutes because, which he found out just the other day, someone had turned every one of the dials on the recorder here to different positions, and opened up both channels, and other things. There were just major problems with the tape. Mr. Black asked if any of the other members had any other changes they would like to make to the minutes, and there were none. He then asked if there was a motion to approve the February 8, 2010 meeting minutes. Mr. Hanna moved with a second by Ms. Warnimont to approve the minutes as corrected. A

roll call vote was taken. Yes votes by Mr. Hanna, Ms. Warnimont, Mr. Schaller, and Mr. Black. Mr. Benavides abstained. Motion carried 4-0-1.

Mr. Black said there are no members of the public in the audience this evening, so they will move on to the next item, and that is Dave Kuhn of Feller Finch to discuss their changes in their zoning resolution.

Dave Kuhn addressed the commission regarding the changes to their zoning resolution. He said the book he handed out before the meeting, it's pretty much all complete. There are a couple of things that he has added since they talked. Mainly in the supplemental regulations he added the wind turbine section in there, and he also added a home occupation section in there which he found that was really, really good and comprehensive. He needs them to look that over real close, and particularly Mr. Garn on home occupations, because he has a lot of problems he guesses with that. So see what he likes and what he does not like on it, and things like that. He is still getting some information from somebody he knows in California about solar rays, solar, so that's not in there, and he is getting some information which he wants to put in the supplemental conditions, too, about additional setbacks for conservation easements along waterways and things like that. So those are probably about the two last things that will have to go in here. He did not include the appendix until after they have read it over. He did not know what they wanted to do. A couple of flow charts might change one way or another. The PUD, he put it back the way the trustees want it. The trustees might want to approve it again. Mr. Black said okay. Mr. Kuhn said so he kind of undone what he did. So it's back to the original wording.

Mr. Black said some of the appendix, the corner lot issue, did they discuss that and actually give him a recommendation. Mr. Kuhn said yeah, he had addressed that in, let's see, section, and he has to find it here. Mr. Black asked Mr. Garn if John is going to be here this evening. Mr. Garn said yes, he said that he probably will not arrive until closer to 6:30 because of some prior commitment. Mr. Black said okay. Okay. Mr. Kuhn said it's a drawing. Section 5. That drawing there now shows of the rear and side yards on Article V, page 4. So there is a drawing that changed so that it's a rear yard instead of two side yards, those corner lots. Mr. Black said figure 5.1, and Mr. Kuhn said right. Mr. Black said and he said that is the right one, or is not the right one. Mr. Kuhn said that's the right one. Mr. Black said okay. Mr. Kuhn said it's hard to read the small print, and maybe they will have to change that. The other one was hard to read, too. They might have to make that drawing a little bigger so they can read it. Mr. Garn said and that may all change because he was going to talk about the other handout that he gave them. Mr. Kuhn said okay. Mr. Black said so what he would like them to do is review this. Mr. Kuhn said kind of take it home, and read it over, and just see how it all kind of fits together. And then read those, really the supplemental conditions is what really has changed a lot on it. All the other things he is just kind of doing what they were saying, and looking to Mr. Garn. But really he gave them homework for next month.

Mr. Black said and that's a good point. Then they would not be bringing this to public hearing for 2 months; right, and Mr. Kuhn said probably, yeah, unless they want to do it based off of this draft. Mr. Black said no, they would want to redo it. He asked if that was all right with everyone. Mr. Kuhn said okay.

A member had one question. He was just looking through here. When it says the draft, October 9th, that's the revision date. Is that the date that they first reviewed it. Mr. Kuhn said no, no, actually here. The member said he was looking, by example, Article VI, page 1. Mr. Kuhn said that's not a front page. The member said okay. Mr. Kuhn said those will change. Once it's approved, then it's going to change on those pages. The member said all right. Mr. Kuhn said but it's just on that first page. That keys it. The changes are in bold other than the titles, so the changes are in bold. And then where they cross something out, they just put a line through it so you can see what they crossed out. Mr. Black said but the bold type will have a footnote and be regular print when they get done, and Mr. Kuhn said right, right. When they are done, that's going to be a footnote like the old ones did. Mr. Black said okay. That's what he thought. Right. Okay. Mr. Kuhn said there will be a lot of them.

Mr. Black said now this planned unit development, is this the modified one. Mr. Kuhn said this is the modified one, but the trustees are now approving it because that's the way they wanted it. Mr. Black said but that's the only change, and Mr. Kuhn said uh-huh. Mr. Garn said they are still approving it, but they are going to go into almost what they call a site plan approval process at that approval. Mr. Kuhn said right. Right. Yeah, it's a site plan on a PUD. So they will approve the site plan on the PUD based on their recommendations. Mr. Black said okay. Mr. Kuhn said that's what they wanted. Mr. Black said right. Mr. Kuhn said he undid what he had done before. Mr. Black said but what they have here is the undid version, the undone version; right, and Mr. Kuhn said right. Yeah. From the version they originally reviewed, it's undone. Mr. Black said okay. That's what he meant.

Mr. Black then asked if anyone had any other comments. Mr. Garn said no, just sort of a comment with it that things may change. At their meeting last month in Columbus they saw and they reviewed a thing called this clearzoning, which evidently is a service that will take the zoning book as written, and make it into something much more readable for the general public, and then link it up. He has not talked to anybody from Danberry Township. This is an old article that was a year ago, but then he put down the web site, too, just to take a look and see what this is like. But they were impressed with what they saw in Columbus. Mr. Black said so they are suggesting after they revise their zoning resolution, that they would then have this firm do something. Mr. Garn said right. Well, see, this may be part of it. He does not know whether this would go along with it to revise it, because he thinks they would have drawings and different things in there to make it more understandable for the general public. Mr. Kuhn said yeah, it's more reader friendly, he guesses. Mr. Garn said reader friendly. Mr. Kuhn said but he does not know what reader friendly is. Mr. Black asked if he was saying

that would be the zoning resolution, or that would just be the supplement. Mr. Garn said no, he thinks that they would work on helping. Just like the drawings that Mr. Kuhn was talking about for the setbacks. They would possibly have a little different drawing that might be more readable. A member said but which would be the official he thinks is what they would like to know. Mr. Garn said and that's right. A member said he thinks this article says once adopted, it almost is if you are adopting the new language he thinks proposed, because it says in here in this little blurb that Mr. Garn gave them, it says once adopted, the reported resolutions will be accessible on the township's website. So it looks like it has to be adopted. Mr. Garn said right, along with, so he is going to get in contact with this firm and just see what they have to offer. Because it might be both all the words that they are working on, and then some other things that go along with the words to be part of the resolution. He does not know. This just came up today. Mr. Black said well, they need to get that clarified. Mr. Garn said right. Mr. Black said because he can't tell from this couple of paragraphs that they have which is the case. Mr. Garn said uh-huh. Mr. Black said it almost sounds like you adopt it, and then they just go with it. It was commented it becomes the resolution. Mr. Black said yeah. Mr. Garn said so they will find out more. Mr. Black said okay. It's certainly not going to affect what they are reviewing, and Mr. Garn said correct. Correct. Mr. Kuhn said they have to get this the way they want it, and then that. Mr. Black said well, he certainly can see how. \$13,000.00. Mr. Garn said he has no idea. He will see what they do. Mr. Black said to Mr. Kuhn, does he have any other comments. Mr. Kuhn said no.

Mr. Garn said some of the other costs of things are quite high, and some are not. He does not know. And then he put in a thing from their zone pro, which is what they use for their permits and so on. But they have a system, too, of linking up where you could go to, which is sort of like what they are going to be doing with the scanning, so it's just a lot of things that they have available that are different. He knows that there are a lot of things going on today with the GIS systems, combining those with almost everything, layers of things. And that's coming into the zoning also.

Mr. Black said well, this innovative zoning conversion system will be a trustee decision, not the zoning commission. Mr. Garn said right. Mr. Black said so all they need to do is to know whether they want to do it or not, and all that will do is delay implementing the zoning resolution. Mr. Garn said correct, or it may or may not. They will see. Because they may be able to work right along with everything. It probably will. Mr. Black said well, he thinks it's important you only have one zoning resolution. Mr. Garn said yes. That's right. Mr. Black said and any time you change the language, whether you are calling it a clarification or not, can have a change in what it means. Mr. Garn said that's right. Mr. Black said he guesses that's his only concern from a legal standpoint. Mr. Garn said yep. Mr. Black said and your zoning resolution is a legally enforceable resolution, it's not something else. A member said an interesting survey. Mr. Black said exactly. That's the only trouble he has with this. Just because not everyone can read it does not mean, and a member said it's not right. Mr. Black said yeah. Exactly. And

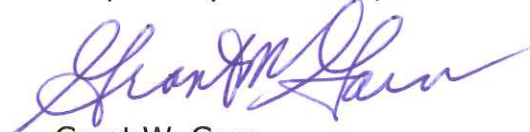
that does concern him a little bit, because one of the reasons they are going through a comprehensive plan is the whole legal issue. One of the ways that you need to be able to enforce your zoning resolution is to have a comprehensive plan so you have got some framework within your zoning resolution. Now if they are talking about using a zoning resolution that is more user friendly or public friendly, he thinks they might end up with a different document, and create their own legal issues down the road. He asked Mr. Benavides if he thought that could be an issue. Mr. Benavides said he would agree. Mr. Black said okay. So he is not sure he is sold on this. He is not sure that the zoning resolution really should be intended to be more readable or whatever. It's there for a reason, if you see where he is coming from. And that's what he struggles with. He guesses he would be more interested in getting their resolution passed as they have done it. And then if you want to do it, and come back and think more about that as opposed to delaying whether they are going to do this or not. A member said he would agree. Mr. Black said okay. He asked if that was the way their commission would feel about that.

Mr. Schaller said again, an interpretation by Mr. Garn is not necessarily bad. And, you know, if something is not clear. And they always have the BZA to appeal it to if somebody does not understand it. Mr. Garn said oh, yes. He has just been brought through this. Mr. Black said yeah, he is not convinced that that's the idea of a document. So would it be fair to say all the members on the zoning commission feel that way also, and that they should go forward with this resolution and do it the way they were planning on it. And if at some point down the road that's where they want to look at, they will look at it. Mr. Schaller said and he is not sure. He guesses every once in awhile if they ended on maybe the other side of the table, he would probably prefer this, but it's not like anything you can't work through. Mr. Black said well, one of the things they are seeing here from when he first got on in 1993, and even when he was on it before to Mr. Schaller, is this is a much more complex document, and not just the average member of the public is going to be able to interpret it and work through it. And he does not think that it is not good or bad, that's just the way it is. And he thinks if you are trying to do it so somebody can do this on their own, he is not sure. You need a professional. A member said he does not think that's the goal of what they are trying to do. Mr. Black said well, exactly. Because that's one of the reasons they have landscape design certification and those types of things that are developed over time. Before you could just come in with your 8 and a half by 11 piece of paper, draw in some trees, and you have got it made. A member said trying to make the wind turbine and solar user/reader friendly. Mr. Black said exactly. So he thinks they are all in agreement.

Mr. Black then asked Mr. Garn if he had anything else, and Mr. Garn said no, that's all he has at this time. Mr. Black asked if any of the members had anything they would like to discuss, and there was no one that did. He then asked if there was a motion to adjourn. Mr. Benavides moved with a second by Mr. Schaller to adjourn. Mr. Black said Mr. Benavides made the motion, and Mr. Schaller was the second. All members were in

favor, and none were opposed. The motion carried. The meeting was adjourned at 6:15 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Grant W. Garn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Grant W. Garn,
Recording Secretary