

SWANCREEK TOWNSHIP
ZONING COMMISSION MEETING MINUTES
February 10, 2016

Chairman Walt Lange called the meeting to order at 6:00 p.m.

Roll Call: Walt Lange, Joe Kahl, Sally Wylie, Jim McConkey, & Shawn Albert

Pledge of Allegiance

Township officials and employees present: Chris Lauch, Administrative Assistant &

Trustee Kazmierczak

Public Guests: None

GUESTS: David Wright, Fulton County Regional Planning Director - FCRPC

New Business:

The Commission approved their 2016 meeting schedule; the second Wednesday of the month at 6:00 p.m., only if there is new business. Chris will publish the dates.

- Sally Wylie nominated Walt Lange for Chairman and Joe Kahl for Vice Chairman

Roll Call: Walt Lange - yea, Joe Kahl - yea, Sally Wylie - yea, Jim McConkey - yea, & Shawn Albert – yea

- Shawn Albert motioned to not read the minutes at each meeting, 2nd by Sally Wylie

Roll Call: Walt Lange - yea, Joe Kahl - yea, Sally Wylie - yea, Jim McConkey - yea, & Shawn Albert – yea

The Commission will receive draft minutes for review and a minutes approval meeting will be set approximately one to two weeks after the meeting to approve and sign these minutes.

Comprehensive Plan

David Wright, FCRPC, was present to discuss the Comprehensive Plan.

He is acquiring quotes from area consultants that specialize in this to do the County's Comprehensive Plan. He is also looking into grant funds. He is in the very preliminary stages. He will also be taking a look at doing Wauseon's Comprehensive Plan. He envisions Swancreek Township's will piggyback to the County's update, because a lot of the data will overlap. County will be establishing a committee and an advisory Commission. He is looking to have County's completed by mid 2017.

The Commission discussed the old Comprehensive Plan created in 1996. This data is outdated.

The Zoning Commission will table this. They will meet with him and work with him when he has completed County's Comprehensive Plan. They feel it would be wise to use the same consultant, since most of the information will be the same. The consultants can be quite costly.

David suggested holding a public meeting to get residents input, also.

Zoning Fees

The Commission discussed how the fees were established in the past. The Trustees received complaints for charging the same price for different projects such as a new dwelling and a shed.

County just updated their fees in 2014. They charge by square foot. David Wright submitted a copy of their fees.

Walt Lange expressed that the township zoning department is the cost of running the township and should not have special fees attached to it.

The Commission discussed fees for Variances, administration fees and the process of the denial of a zoning permit application when a project is not in compliance of the zoning resolution.

Commercial inspections were discussed. The township does not contract with anyone for the un-zoned area. Mike Rudy in Wood County receives permits for commercial uses from the property owners in these areas.

The Commission discussed the site inspections. There are no residential building codes in the township. Shawn Albert feels there needs to be.

The Commission discussed Agricultural uses. The township requires 5 acres or more to 'qualify', in order to be agricultural exempt. The township has a different form for agricultural exempt uses. The township charges \$100.00 zoning permit application fee if the project is on a property that has under 5 acres.

Walt Lange would like the acronyms removed from the zoning resolution.

- Sally Wylie motioned to remove the \$100.00 fee and zoning permit application requirement for parcels under 5 acres for agricultural uses and require an agricultural exempt application, 2nd by Shawn Albert.

Roll Call: Walt Lange - No, Joe Kahl - yea, Sally Wylie - yea, Jim McConkey - yea, & Shawn Albert – yea

- Shawn Albert motioned for all township zoning fees to match the Fulton County fee schedule, 2nd by Sally Wylie.

Roll Call: Walt Lange - No, Joe Kahl - yea, Sally Wylie - yea, Jim McConkey - yea, & Shawn Albert – yea

The Commission discussed the prior motion; this motion supersedes the prior motion.

Joe Kahl recommends the Trustees use the County's fees as a guideline. The Commission discussed a different fee for signs.

The Commission discussed the non-conforming use application. There is no fee for renewals.

There are no current commercial fees. A zoning permit application would be used. Chris is not familiar with any commercial permit applications.

Shawn Albert disagrees that the Trustees have the authority over setting zoning fees. He expressed that he feels that it is the zoning commission's responsibility. Walt Lange explained that administration of the township zoning is not a function of the zoning commission, per Ohio Revised Code Zoning Commission Article.

Junk Motor Vehicles

The Commission discussed Jon Whitmore's legal opinion and the definition of a Junk Motor Vehicle.

The unlicensed portion was discussed. Definitions can be found in the Ohio Revised Code.

The Commission agreed to have Jon Whitmore write a language recommendation. This will be returned to them for their review and then passed on to the Board of Trustees.

The Trustees need to amend their junk motor vehicle policy for un-zoned areas.

Fences

The Township has received complaints about maintenance of fences that are placed on the property lines. The Commission discussed several issues with the fence being constructed on property lines. The Commission discussed requiring a survey and fees for a survey and how Walt Hallett determines the lot line.

It is the property owner's responsibility to know where their property line is. If a fence encroaches a neighboring property, it would then be a civil situation. Chris is to place this on the zoning permit application and that it is highly advisable to obtain a property survey.

Sally gave the Commission a copy of the Ohio Fence Laws.

- Sally Wylie motioned to add to the fence zoning language Article 105.5 #2 C; The condition of the fence must be properly maintained, 2nd by Jim McConkey.

Roll Call: Walt Lange - yea, Joe Kahl - yea, Sally Wylie - yea, Jim McConkey - yea, & Shawn Albert – yea
Discussed the Blight Zoning Article and barriers. The Commission agreed it is covered in the Blight Article also.

Corner Lots

The Commission discussed mailbox location, addresses of location, front of house location and side/front yard setbacks. The purposes of the setbacks were discussed.
The Commission agrees to leave the same.

Commission Compensations

The Commission has no recommendations on this. They do not feel it is necessary.

The Commission discussed the West-1 area issues. There have been improvements at the trucking company.

Sally Wylie did research on junk yards and waterways, testing ditches. She instructed Chris to give this to Walt Hallett for his review.

- Sally Wylie motioned to approve the 6-3-16 minutes, 2nd by Shawn Albert.

Roll Call: Walt Lange - yea, Joe Kahl - yea, Sally Wylie - yea, Jim McConkey - yea, & Shawn Albert – yea

Joe Kahl motioned to adjourn at 7:51 p.m.

All were in favor, Motion passed.

Zoning Commission Approval of Minutes:

Walter Lange, Chairman

Joe Kahl, Vice Chairman

Sally Wylie, Commission Member

James McConkey, Commission Member

Shawn Albert, Commission Member