

Zoning Commission

1 **Special Zoning Commission Meeting - Code Amendments**

March 19, 2019

LEGAL NOTICE

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3
4
5 Notice is hereby given that the Orange Township Zoning Commission will hold a public hearing on
6 proposed amendments to the Orange Township Zoning Resolution initiated by Resolution#19-077 of
7 the Board of Township Trustees, adopted on March 4, 2019. The amendments would modify or
8 supplement Section 5.01, Section 5.02, Section 10.01, Section 10.03, Section 10.04, Section 10.05,
9 Section 10.06, Section 10.07, Section 10.09, Section 11.01, Section 11.03, Section 11.04, Section
10 11.05, Section 11.06, Section 11.07, Section 14.01, Section 14.03, Section 14.05, Section 14.06, Section
11 14.07, Section 15.01, Section 15.03, Section 15.04, Section 15.05, Section 15.06, Section 15.07,
12 Section 15.08, Section 15.09, Section 17.01, Section 17.03, Section 17.05, Section 17.06 and Section
13 17.07 of the Orange Township Zoning Resolution and delete Section 10.08 in its entirety.

14 The hearing will be held on Tuesday, March 19, 2019, at 7:00 p.m. at the Orange Township Hall, 1680
15 East Orange Road, Lewis Center, Ohio 43035. At the conclusion of the hearing, the matter will be
16 submitted to the Board of Township Trustees of Orange Township for its action.

17 Resolution #19-077, and the text of the proposed amendments will be available for examination for a
18 period of at least 10 days prior to the hearing at the Orange Township Zoning Office, 1680 East
19 Orange Road, Lewis Center, Ohio 43035. Zoning office hours are Monday through Friday, 8:00 a.m.
20 to 4:30 p.m., except legal holidays.

21 The person responsible for the publication of this notice is Michele Boni, Orange Township
22 Zoning Department.

23
24 *Mark Duell, Chairman*
25 *Michele Boni, Orange Township Zoning Department*
26

27 *Please publish one time, on or before Saturday, March 9, 2019 in The Delaware Gazette*
28
29

30 Roll: Mark Duell, Todd Dove, Adam Pychewicz, Dennis McNulty, Barrett Ault
31

32 Township Officials Present: Michael McCarthy Township Counsel
33 Jeff Beard Zoning Enforcement Officer
34

35 Mr. Duell: Tonight is a little different. We have some meeting minutes to approve and then we have
36 amendments to the Orange Township Zoning Resolution we need to address which is something that will
37 be a first that I have had to deal with. We'll start with approval of meeting minutes.
38

APPROVAL OF MEETING MINUTES

39
40
41 Mr. Dove made a motion to approve the meeting minutes of the Orange Township Zoning Commission
42 dated September 26, 2018 for the Orange Township Comprehensive Plan, with the following corrections:
43

- 44 • Line 139: sentence should read "...with the County Engineer and our Roads Department"
- 45 • Line 304: sentence should read "...instead of adopt and require, I'll just use the word consider"
- 46 • Line 405: sentence should read "In Atlanta's Bicentennial Park..."
- 47 • Line 606: sentence should read "No, there's a new one..."

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- 48 • Lines 786 and 787 should read: “Ms. Boni: I think for Sub-area 8, there was the density bonus
49 for Clear Creek that you can get rid of because it was approved by the Trustees.
50 • Line 789: change “9” to “9.8”
51 • Add a line under Line 789 that Ms. Boni commented “yes”
52

53 Seconded by Mr. McNulty

54
55 Vote on Motion: Mr. Duell-yes, Mr. dove-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Ault-yes
56 Motion carried
57

58 Mr. Dove made a motion to approve the meeting minutes of the Orange Township Zoning Commission
59 dated December 11, 2018, Special Zoning Commission Meeting, with the following correction:
60

- 61 • Correct the spelling of Mr. Pychewicz’s name throughout the document
62

63 Seconded by Mr. McNulty

64
65 Vote on Motion: Mr. Duell-yes, Mr. Dove-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Ault-yes
66 Motion carried
67

68 Mr. Pychewicz made a motion to approve the meeting minutes of the Orange Township Zoning
69 Commission dated December 18, 2018 for Rezoning Application #ZON-18-06, Kerbler Farms LLC &
70 JAK Investments, LLC, with the following correction:
71

- 72 • Correct the spelling of Mr. Pychewicz’s name throughout the document
73

74 Seconded by Mr. McNulty.

75
76 Vote on Motion: Mr. Duell-yes, Mr. Dove-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Ault—yes
77 Motion carried
78

79 Mr. Pychewicz made a motion to approve the meeting minutes of the Orange Township Zoning
80 Commission dated December 18, 2018 for Rezoning Application #ZON-18-07, Kerbler Farms LLC, with
81 the following corrections:
82

- 83 • Correct the spelling of Mr. Pychewicz’s name throughout the document
84 • Line 197: add a period after “road system”
85 • Line 266: “Portion s” should read “Portions”
86 • Line 506: “that’s” should read “that”
87 • Line 671: “plan” should read “planned”
88 • Lines 686 and 694: “10,5,1” should read “10.51”
89 • Line 943: sentence should read “Here its stated as a permitted use”
90 • Line 1020: “.40 and .44” should read “.040 and .044”.
91 • Line 1029: “standard” should read “stated”
92 • Lines 1037 and 1042: “1114” should read “11-14”
93 • Lines 1172 and 1174: “on premise sign” should read “off premise sign”
94 • Line 1201: “form” should read “from”
95 • Line 1264: “t” should read “it”
96
97

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98 Secoded by Mr. McNulty.

99

100 Vote on Motion: Mr. Duell-yes, Mr. Dove-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Ault-yes
101 Motion carried

102

103 On March 19, 2019, Mr. McNulty made a motion to approve the meeting minutes of the Orange
104 Township Zoning Commission dated December 20, 2018 for Rezoning Application #ZON-18-06, Kerbler
105 Farms LLC & JAK Investments LLC, with the following correction:

106

- 107 • Line 302: “MRPRD” should read “MFPRD”

108

109 Secoded by Mr. Pychewicz

110

111 Vote on Motion: Mr. Duell-yes, Mr. Dove-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Ault-yes
112 Motion carried

113

114 Mr. Duell: Next we’ll move on to the proposed amendments to the Zoning Resolution. Mr. McCarthy, if
115 you’d like to give a brief statement about what’s going on with this.

116

117 Mr. McCarthy: The Zoning Office is in the process of putting together an RFP for the Zoning Com-
118 mission to contract with a planner to assist in the most thorough review of the overall Zoning Resolution
119 that’s probably happened in 10-15 years that will more than likely be a lengthy process. In the past when
120 we have done that sort of thing, it’s taken typically a year; in one case, a little more, because you’re going
121 to look at things, ask if that’s still the vision of the Township, is that still what people want, is that still
122 where we want to take this place in the next decade. So that’s definitely going to be a prolonged task. In
123 the interim, there were some modifications the Trustees felt have been somewhat difficult to deal with for
124 them, maybe the Zoning Commission as well, and for years we have diverged from the original position
125 of the Township together with Berlin and Liberty. We all basically came from the same Code and there
126 weren’t that many changes. There was an unfortunate situation that occurred in Berlin and the Township
127 changed its Code, and it kind of set a new direction together with the assistance of the State Legislature
128 which began to take an interest in Section 519.021 which is the authority for the creation of PUD’s.
129 Orange Township has had maybe 4 of the old style Euclidean modifications, and those were really a clean
130 up on the part of the Township of some relic zonings that had been left lying around loose. Those were
131 Euclidean, the process that modified them was Euclidean and only one of the owners even cared, so it was
132 not too controversial. But the rest of the Township has been planned development and no two of your
133 plans are the same. That has been the ethic of the Township, the Zoning Commission, the Trustees. The
134 standards you’ve operated under were set about 1984 and modified mid to late 2000’s. An example of
135 what kind of decisions you’re going to have to be making in the future, and we didn’t address this,
136 initially you had the PRD, that was it, and that was judged to work so well that the Zoning Commission
137 felt the need to separate them and because of the challenge faced when you start mixing uses. Some of
138 you have had a chance to observe the wordsmithing applicants are capable of, and imagine taking the text
139 of a development plan and putting it in a blender, punching it and run, and this happened so much it was
140 almost impossible to sort it out. In the end you couldn’t get a clear idea of what either one was, so that
141 was a decision that was made there. The original density of the PRD for single family housing was 4 units
142 per acre, that was reduced in ’06 or ’07, and we started getting a lot of 4 unit standard development. It
143 was decided to ratchet it back, so the 4 became a 2. Multi-family went from being an 8 to a 4 and that was
144 again with the idea they did not want it to turn into a rental community. You have to view this in the
145 context of Glincher’s multi-family, Dooley’s Orchard, and also the Kenney. So, those are the kinds of
146 things you’ll be looking at. Do you still want wide setbacks, maybe green space or has the Township gone
147 urban? Those will be some of the questions you’re going to face, and sooner or later you’re going to have
148 to define mixed use. But the issues that were felt to be something to deal with, that could be moved off

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149 the table relatively easily or with a limited scope to the discussion. We were asked to assemble those, and
150 I think Michele forwarded it to you; I hope you had a chance to read it. I'll wander thru this, you'll see a
151 lot of duplication because a lot of these texts duplicate each other a lot.

152

153 Mr. Dove: We're not getting into the weeds of things until we respond....

154

155 Mr. McCarthy: The only weeds you're getting into are the red or purple text; the rest of it we're not
156 messing with.

157

158 Mr. Dove: We're not discussing?

159

160 Mr. McCarthy: No, we're only discussing the red, purple or other non-black color that your printer put
161 out.

162

163 Mr. Dove: And when we respond to the RFP, that's when we're getting into the weeds?

164

165 Mr. McCarthy: Yes, and it's going to be a prolonged trip in the weeds I suspect.

166

167 Mr. McNulty: How many meetings with the Trustees did you have before, because I'm assuming you
168 wrote this?

169

170 Mr. McCarthy: In conjunction with working with Ms. Boni, this was prepared from discussion I had with
171 Ms. Boni, discussions we both had with various Trustees on issues they felt needed to be dealt with
172 because this other discussion could go on for over a year and they didn't want to leave the doors open any
173 more. That's really why we're looking at this now.

174

175 Mr. McNulty: Is a lot of this more of legal considerations that you felt were loose ends hanging around
176 because obviously getting into the weeds for some of those other basic issues are....

177

178 Mr. McCarthy: No, we didn't go anywhere near that. For example, we have always taken the position
179 that each of our planned districts is a unique zoning district unto itself and your Code was kind of wishy-
180 washy on that. In one place it would say it, another place it would infer that it wasn't, so we've tried to
181 make that consistent, so at least it says what you have said and been doing for 20 years. I'll go thru front
182 to back, feel free to stop me, let me know if you need to talk. First change, and I didn't number the pages
183 because eventually we're going to cut and paste this into the current compilation, but Section 5.01,
184 Designation of Districts, indicates the Township's position under 519.021 b) that each time we act to
185 create a planned district, we are creating a new zoning district, so you'll see the pertinent listed districts
186 have asterisks indicating that there will be such number of planned districts as may be approved under
187 519.12; each will be considered a unique, separate zoning district approved under the 021 b) designated
188 on the Zoning Map in accordance with the procedure set forward in 519.12 with simultaneously adopted
189 regulations that apply only to that district; and within that district, property shall be subject to the adopted
190 regulations, not to any other zoning regulations. That sets the marker, this is what we're doing, don't talk
191 to us about 2 part development, don't talk to us about you're entitled to the maximum that you can claim
192 under a development standard; your situation may be unique, and you may not get it. We only had 1 case
193 in court during the whole period this was going on and it was a density case. In the end the judge went
194 along on the density with the developer, but on the issue of were we stating our 021 b) statement, the
195 court agreed with us on that, so it wasn't a win but it was a partial something positive. The second change
196 is highlighted on the following page and Jeff if you would make a note of it before we finish. I've seen
197 this happen elsewhere and I think if we check right now we'll find that this may be the case with Orange.
198 If you give a name to a document in a regulation, it means that document, so if you change the name and
199 create a second document without modifying the text for the first, you never adopted your zoning map, so

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200 we're going to make sure we get the correct name of the zoning map in there before we have final votes
201 and it would be good if we could have that for the next meeting. This has not yet gone to Regional
202 Planning, so for that reason we'll take a vote the first week in April. We'll have to consider RPC's
203 recommendation before we vote. Exhibit 3, Article 10.01, again just bringing in the language, creation of
204 such number of individual districts in accordance with 519.12, each is separate and unique; that comes up
205 all the way thru here. As to permitted uses within "a Single Family District", the following uses may be
206 permitted if approved in the development plan. The precise use or uses of the tract shall be specified in
207 the plan as submitted and approved; the following sections support that. We're going to take out cluster
208 housing, so that is a definition in itself, but we're taking that out; we'll get to that. Again, all the way thru
209 you'll see "a Single Family District" instead of "this district" or "the Single Family District".
210

211 Mr. Beard: The one above that.

212
213 Mr. McCarthy: Sales, This came up that you were concerned that the construction trailers not only not be
214 used for residential but also for purposes of sales, so we're adding sales to it to make that clear so we
215 don't have to keep remembering it.
216

217 Mr. Beard: Our trailer permits allow for office use...

218
219 Mr. McCarthy: It specifically says for sales.
220

221 Mr. Beard: So for temporary structures, in a single family home, if you look at how this is written, if
222 Johnny wants to have a lemonade stand built and put on his yard and sell lemonade, that would be a
223 temporary structure, so that would be prohibited according to our Code.
224

225 Mr. McCarthy: The current language, temporary non-residential structure such as construction trailers and
226 temporary buildings of a non-residential character may be used incident to construction work. Now if
227 Johnny's helping build the house, I suppose he could get something.
228

229 Mr. Beard: But it's a temporary building. Since we don't have the definition...

230
231 Mr. Duell: It's construction work, so if Johnny's lemonade stand is incident to construction work, then
232 it's okay.
233

234 Mr. Beard: Or adjacent to public projects or while that's being built. Right now I know of 3 temporary
235 trailers that we have that have permits that will be used for sales that are for construction but then we have
236 Epcor on the corner of Home Road and 23....
237

238 Mr. McCarthy: Go to the development plan and see if there's a prohibition on sales use because right now
239 there's not in the text. If there is on the approved development plan, then no, it doesn't fly, and I can't tell
240 you how many times we've made that change so that's one reason we're putting it in here now, so we
241 don't have to keep remembering to make the change, but the development plan governs that particular
242 development.
243

244 Mr. Beard: If I get a temporary trailer application and they mark office, how do I know what they're
245 using that for?
246

247 Mr. McCarthy: If they look like it's used for sales, I'd go have a talk with them.
248

249 Mr. Beard: But if it's on private property, I can only see what's on the outside; I can't see anything, I
250 can't prove they're having sales in there.

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251 Mr. Duell: You can't do sales if there's no sign that says it's for sales.
252
253 Mr. McCarthy: They would need a sign that says for sales, enter here, customer parking.
254
255 Mr. Beard: Evans Farm has a sign outside that says information, so is that sales?
256
257 Mr. Dove: If they're selling lots or units within that trailer, yes that's sales.
258
259 Mr. Beard: But how do I prove that?
260
261 Mr. Duell: You walk in and see what they say.
262
263 Mr. McCarty: It's open to the public.
264
265 Mr. Beard: It's open to the public but all they have to say is no.
266
267 Mr. McCarthy: If you walk in there and there's 2 people with a real estate contract, then you know
268 you've got something.
269
270 Mr. Beard: We're looking more of an enforcement issue.
271
272 Mr. McCarthy: What we're looking at when this was put in was, there's that little cemetery on the west
273 side of 23 and notice the sales trailer there, that pre-dates this Code section. That is what they were
274 aiming for and those of you who suffered thru Sandstone, initially they were looking at a sales trailer and
275 the Commission made them change it before their application was withdrawn. It's like home occupation;
276 can you enforce home occupation?
277
278 Mr. Beard: You can send a letter and you can look on line and see where they're registered.
279
280 Mr. Dove: If it's a very nice interior trailer, they're selling; if it's not, it's for construction. Y there's a
281 nice colored map on the wall with lot numbers. When you go into that strip center for Epcon, you pretty
282 much know they're selling in there. If you go into a construction trailer, you know it's a worksite.
283
284 Mr. Beard: There was one that was just an office, it had stuff set up in it but it had sales in there but that
285 was a nice trailer.
286
287 Mr. McCarthy: From my experience, that would be the exception. But following that, we have "a Single
288 Family District", that's just to be consistent. 10.05, again within "a Single Family District" the following
289 use is to be prohibited: any that is not specifically authorized by the express terms of the approved
290 development plan is standard and the rest of it is just for consistency. Most of it is quasi-legal and just
291 trying to make it consistent because it hasn't been and people kept bringing that up and we kept having
292 arguments. 10.06, same thing, "a district" instead of "the district" or "this district".
293
294 Mr. Dove: Can we go back to Exhibit 6 in 10.05 for my own personal knowledge. Item C, basically
295 nothing is to be parked in front of the front building line. The front building line is the front line of a
296 building, so basically there's no trailers in someone's driveway ever.
297
298 Mr. McCarthy: Not more than 24 hours in a 10 day period. That is original Code language. I think there
299 was an anticipation and I think in some areas it has and in some areas it hasn't but with the reservoir
300 being created this was going to turn into a boater's Mecca and I think to some degree it has. There are
301 boats, I think Jeff goes out and tells them they have to put them on the side of the building.

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302 Mr. Dove: So you can park it on the side lot, other than your HOA.

303

304 Mr. Beard: It depends on the rezoning. Some of the rezonings say you can't have them parked on your lot
305 at all, some follow the Code that says behind the building line. We've run into this issue on Orange Road
306 where there's no building and trying to interpret this Code was really tricky. This went on for a couple of
307 years and we finally made them remove everything because there's no building but you can park your
308 trailer or boat on the road if it's in a legal parking spot, then there's nothing we can do. So the issue is, do
309 we go around and tell everyone that has a trailer parked in their driveway to move it then they park it on
310 the road? Do you think it's more of a hazard parked on the road or do you allow them to be in the
311 driveway until someone complains about it?

312

313 Mr. Dove: It's more of a hazard in the driveway when they block the sidewalk.

314

315 Mr. Beard: But if they're not blocking the sidewalk.

316

317 Mr. Dove: It's just ugly. I'm just curious.

318

319 Mr. Beard: And that's where we run into, there was a neighborhood where we received a complaint for 4
320 houses and went out and investigated those 4 and sent letters. One of the people that got a letter got mad
321 and she went around the neighborhood and gave me a list of 12 houses that had possible violations
322 because she was mad and said I was picking on her. I investigated them, so then we had 8 or 9 trailers that
323 were parked on their roads in the subdivision.

324

325 Mr. Dove: Then you rely on the HOA to say you're not allowed to park trailers in the street.

326

327 Mr. McCarthy: If the HOA has the prohibition right.

328

329 Mr. Beard: Right, but we don't have a parking resolution that would enforce that.

330

331 Mr. McCarthy: Ours is for vehicles and that wouldn't be a vehicle on a trailer.

332

333 Mr. Beard: It's kind of a sticky situation. We get complaints and go out and investigate them; we get
334 them all the time.

335

336 Mr. McCarthy: 10.06, just making it "a district". We did this a while back and I think it was the MF or
337 PC, but in the b)12) section, which is the statements and divergences, now that would be Article XXI,
338 General Development Standards, Article XX, Signage, or this article or existing County regulations or
339 standards; also corrected the spelling of "therefor". Criteria has been softened. Rather than determining;
340 that sounded a lot like an administrative law. Findings has been softened to consider and other than that,
341 we use the same listing. Then, "effect of approval", and this is in all the planned districts, has taken quite
342 a chunk out. The three years is gone and the reverter is removed. Some of the Codes that were brought to
343 us from our neighbors have taken it out as well, and the problem with the reverter is if the law requires,
344 which it does, that a change in the zoning has to go thru a 519.12 process, how can you say if you're not
345 done in 3 years, it's automatically going to revert without a 519.12 process; there's probably a
346 constitutional issue there. After a lot of discussion over a lot of years, that is being taken out.

347

348 Mr. Dove: So once it's zoned, it's zoned?

349

350 Mr. McCarthy: It's zoned, it'll be a standalone, it will be regarded as any other zoning district in the book
351 and is now the rules of the road. If you want to change it, file a zoning amendment. Even if you want to
352 change the text, you would file a 519.12 application and we set up that minor amendment process; we just

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353 went thru it with Wal-Mart, Home Depot, so this I suspect is an improvement. Developers probably won't
354 like it, but the real problem is that you're in a bad position if the reverter is ever claimed to have occurred.
355 Part of the Liberty Township litigation was the fact that the process hadn't been followed, the bill just
356 kind of got changed. This gets that all out of there and means once you approve it, those are the rules for
357 that until you change it with the Trustees. Administrative review, we had one issue related to the adult
358 hotels and administrative review got to be quite a problem because what really does it mean, how many
359 times has the Zoning Commission ever met to do an administrative review of a plan? So it really is kind
360 of problematic, and I think it is Michele's desire just to make it a cleaner process and get that out of there.
361

362 Mr. Pychewicz: How do we handle extremely minor revisions? I don't feel like I should have to go back
363 thru the Board...

364
365 Mr. McCarthy: There's 2 answers to this; the first one is the course the Township has taken to this point.
366 We are a creature of statute; that is the law, and the law says that we can do certain things. We can
367 regulate height of buildings; density of population; as to residential, exterior of materials; number of
368 density; we're given that authority. But then we're given a process and it's not a suggestion. There are a
369 number of cases where people didn't follow the process and your actions annul it. We have no inherent
370 power beyond that that the legislature has granted to townships, so if the legislature says you're going to
371 do your zoning like this, you're going to do your zoning like this. You may see, and I don't remember
372 seeing a case on this yet, I suspect there will be one, there's a home rule that is not home rule in the
373 municipal sense. You have a lot of authority even though that itself ebbs and flows if you read the
374 Supreme Court cases. For example, some of the larger municipalities tried to regulate pay day lenders,
375 they passed all kinds of rules but they couldn't because it conflicted with the general law. Even chartered
376 municipalities have limitations. We're not our own little kingdom; we are a political subdivision in the
377 State of Ohio operating under the graces of State Legislature. But that is the situation that says if you're
378 going to amend a zoning, you're going to do it like this. We've stripped that down and you have to factor
379 in applicants as well. For example, when Wal-Mart walked in, anything outside the store was storage
380 area; they filed it that way. If you want to approve that in 1 night you can, but the community's not going
381 to have the same look it has if you regulate outside storage. They knew that when they filed, so there
382 goes 1 meeting; they've basically wasted our time and they've also started sounding out the Board as to
383 just how far they can push them. Is the community going to let us turn the parking lot into something that
384 your Code is not intended to permit? If that becomes the ethic of the Township, it will come thru this
385 body and you folks will say yes, we are that community now, and the Trustees would have to say yes,
386 we're that community now, then you're that community. But there's no quick, dirty, little wink, wink,
387 nod, nod, nudge, nudge; I won't say it's not going to happen but it's not legal.
388

389 Mr. Pychewicz: For example, if someone was to submit and we have a meeting and we approve them but
390 the way I read this it says all plats, construction drawings, restrictive covenants and other necessary
391 documents, so it's saying....

392
393 Mr. McCarthy: What that's saying, that's why we're getting that out of there.
394

395 Mr. Pychewicz: The way that I see an administrative review necessary, and maybe this is not what you're
396 meaning by this, but for example, recently on a project we made an extremely minor change, it was like
397 changing out 1 item in the landscape, 1 bush or something like that. So they sent this back to the Zoning
398 Board and said based on the drawings we sent you that were approved, we made this minor change. Can
399 you approve this administratively? An email went out to all the Board members and they just said we're
400 good with this, so maybe that isn't what this is intended for at all.
401

402 Mr. McCarthy: No. Your question is what happens when these plats come in. They're coming in for a
403 zoning permit or zoning certificate of compliance and a signature on that plat. That is done by the Zoning

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404 Office. If the Zoning Office doesn't feel it conforms, they tell them no, this is not in substantial
405 compliance with your approved zoning. Sometimes the Zoning Inspector or Planning & Zoning Director
406 will try to kind of get the temperature of sometimes the Zoning Commission members, sometimes the
407 Trustees, they feel it's on the fence and they're looking for feedback. They will reach out like that but
408 they're not making a change. What they're doing is making the determination that this in fact does
409 substantially comply with the approved development plan.

410
411 Mr. Dove: I don't think we're looking for the one bush. I think we're looking for like what Evans Farm
412 comes in and says we need to...

413
414 Mr. Pychewicz; Absolutely, I think that's how it's evaluated; this is a large enough change that it has to
415 go back thru the Board.

416
417 Mr. McCarthy: It depends on the nature of the change. If you're changing the location of a building, that's
418 probably going to go back thru; if you're off by 3", that's probably not going to go back thru. But what
419 you want to avoid is the idea zoning's done, you can throw that book away, let's get to work, and that
420 apparently is what alleged to be happening right now at North Orange. So there is a function to the
421 exercise but the process when there are changes necessary, when the Zoning Office doesn't say yes, this
422 is good to go, this is substantially conforming, rather than going thru a whole new book, although we did
423 have Mt. Carmel insist on a brand new book. They wanted one book to rely on but most applicants would
424 not go to that level of effort. What we have had is, and Wal-Mart would be a good example, ultimately
425 they submitted changes only to the parts they wanted change, they didn't re-do the whole thing, and we
426 made sure the parts that they were changing didn't have a domino effect, but they didn't because we
427 didn't permit outdoor storage, so it wasn't hard to find out there was no domino effect, nothing was
428 permitted, it went forward and ultimately it was resolved. I believe they were even given one year by the
429 Board to implement it because they had to build it in their budget; we're still waiting so we'll probably
430 see that year expire. I don't think developers are idiots or naïve or fools. When they come in and you look
431 at an application, you would swear they never even knew you had a book; that's not an accident. Probably
432 the most honest one, it was a difficult zoning, a difficult location, difficult application and they went to
433 for the moon; they view it as a negotiation. We worked on that for a year and on the night the Board
434 passed it out I said to the gentleman we could have been done 3 months ago, you guys are just looking at
435 this as a negotiation and he said, "isn't it" and just walked off. So you're not dealing with a situation that
436 we control a lot of. This Board can turn down an application the first night. If you want a quick answer,
437 that can happen. What you're going to do is cost the applicant more money, probably cost the Township
438 more money and what you're really going to accomplish is you ran it like a business and turned it down
439 in 1 night. Businesses don't work like that. If they have a problem with finances or any controversies they
440 get into, they don't just say we're done; they work thru it. And before these guys show up, they probably
441 spend at least a year looking over the site, doing their due diligence and making certain that the utilities
442 and everything else they're going to need to make the wheels turn are available and going to be given
443 access. They don't just walk in off the street and say here's a book, what do you think. We did have 1 do
444 it, who didn't do due diligence and was trying develop in an area marked as a flood plain.

445
446 Mr. Pychewicz: But say there was just a minor change to something that was discussed in one of our
447 previous zoning meetings with an applicant and they say yes, we'll do that, that material, that siding,
448 whatever, and they change the siding but it's still siding, it's not like they're making a huge change,
449 saying they're using cultured stone or something. What if we have a small change like that? That's not
450 going to go thru some administratively approved process we're going to come back and meet on that...

451
452 Mr. McCarthy: Right now, for example, we just finished up the Slate Ridge/Schottenstein project with the
453 Trustees. In that project the applicant openly admitted to you and then to the Trustees to .044 vinyl. Now
454 if they came in with .03, it shouldn't be approved, it's not a minor change. If you like wavy vinyl in this

Zoning Commission

455 Township, if that's the community you're building, then maybe you need a broader administrative mind,
456 but that's not the community this body and its predecessors have been trying to build. They could have
457 filled this place up with junk in their view and they chose not to, and the challenge is now to you guys to
458 define what junk is and that will be on you. That was on them and I think most of them feel pretty good
459 about what they were able to accomplish.

460
461 Ms. Ault: And I think they would obviously want to see it to continue to be that way, to hold a standard,
462 but it's a different time...

463
464 Mr. McCarthy: But it also maintains the property values; that's one of the reasons you do it, it's not just a
465 love of pain. One of the major reasons you have zoning is to protect the property values and you don't do
466 that by having low standards, and the process you see now is the result of their focused efforts over a long
467 time and those can change. When you go thru this Code, you can make it whatever the majority of you
468 feel it should be and what the Trustees will agree to. But in the end, it's going to get built however you
469 approve it, so you really want to pay attention. If you had a one day process, you would have developers
470 complaining that they couldn't just email it over. That's part of their negotiating tactic. They know when
471 they come in they're banking on 6 months. Your opponent is not an adversary but their interests are not
472 yours. If you are representing the Township and the Zoning Commission is intended to reflect the
473 community which is why it is such a pivotal part of the overall process. It is what it is, so what's minor?
474 That's relative and I know your zoning staff is charged with using common sense on that and they're also
475 responsible. If they issue an approval and it turns out it wasn't to view by a lot of people, they're probably
476 going to hear about it, so the whole system does exist but you have to view it in the context of there's a
477 reason, it's not just a love of reading these books that brings them to this table because it's not. It is
478 crafting a product for this community and every application you get, that's what you're doing. Each piece
479 of ground is unique; in law, that means something. People don't realize this I don't think. Law is one of
480 the few things where a specific performance is permitted because each piece of property is regarded as
481 unique. It's not fungible; an acre here is not an acre there, at least not necessarily, although 1031
482 exchanges are still legal I think. As far as the administrative review, that happens at the permitting, and if
483 they come in off plan, they may cycle back thru. But to accommodate that, the Township, the Zoning
484 Commission I would say initiated this. We've just got to fix the parts that need fixed, don't go bringing us
485 a whole book. If you want to, Mt. Carmel wanted to simply because when a new administrator comes,
486 they've got one book to give him. It's not one book and a sheaf of papers. If you have to go thru 3
487 different amendments in 3 different piles, it can be quite challenging. But the administrative is the
488 permitting and if it gets kicked out at permitting, then it's probably going to be heading back to you guys
489 in some fashion, either the full process if it's significant or its stripped down Section 10.06 b) as amended
490 to read. Development standards, changed that a bit, development standards for property within a Single
491 Family District shall be as per the approved development plan, notwithstanding the foregoing unless a
492 divergence is granted within the approved plan, the following standards will apply basically. That is
493 clarifying something that probably could have used clarified. Those of you who were on the application
494 will remember the exception into the density limitation in the SFPRD; they wanted that out and it existed.
495 The Zoning Commission looked at it and said we see the language, but we're not going to approve it.
496 When it went to the Trustees, the Trustees, when that language was brought up, felt it was in our book
497 and they did what they did, then the guy sold it. Here's one we could talk about, Michele and I did not
498 talk about it, 10.07 a)2), maximum unit size single acre. It occurs to me that we've had that challenged a
499 couple of times and each time we said how are you going to figure that out?

500
501 Mr. Duell: We never say anything because we don't have a good answer. It should probably come out
502 eventually but I don't know it needs to come out this time because if we're going to go thru that whole
503 change again, that's probably the more appropriate time.

504
505 Mr. McCarthy: You're probably correct; open space is open space.

Zoning Commission

506 Mr. Dove: Should we take out the cluster development in that text of Item #1, maximum unit on any
507 single acre except in the case of a cluster development.

508

509 Mr. McCarthy: Except in the case of multi-family areas, maximum number will be 3. Maximum
510 coverage, this is the result of a discussion that Michele and I had about the difference between buildings
511 and structures in 10.07 h). Right now on no lot or parcel in this zoning district shall buildings or
512 structures be constructed which cover more than 25% of the lot or parcel.

513

514 Mr. Duell: Is that what was always intended?

515

516 Mr. McCarthy: A building is a building, it has walls and a roof if you look at the definition. A structure
517 could have a roof but it won't have walls. I'll leave that to the Board; I don't have any particular politics
518 on that one but that's where it came from.

519

520 Mr. Duell: Is that how you define a structure, that it has a roof?

521

522 Mr. McCarthy: If we look at building, it has walls and a roof. Anything that you place upon the ground is
523 the one I see the most.

524

525 Mr. Duell: What about covered porches, decks?

526

527 Mr. McCarthy: They would be structures.

528

529 Mr. Beard: They have a permanent foundation is what....

530

531 Mr. Duell: A lot of decks are going to have a permanent foundation; they're usually concrete. The main
532 posts are in concrete. That one might be better to save for the overall, more comprehensive discussion
533 because once we start tossing structures in there, a lot of structures get built after the fact too.

534

535 Mr. McCarthy: We have a definition for structure; we don't have one for building though. Buildings are
536 buildings and adding and/or structures, structures anything constructed to be erected with a fixed location
537 on the ground or attached to something having a fixed location on the ground. Among other things,
538 structures include buildings, mobile homes, walls, billboards. For purposes of this Zoning Resolution,
539 fences are not considered structures. So you're thinking maybe bag that one?

540

541 Mr. Duell: Yes. If somebody builds a deck after the fact and it throws their number over, we're going to
542 be sending Jeff out.

543

544 Mr. Beard: That's something we look at when they apply for the permit. We look at the development
545 standards and what the lot coverage is.

546

547 Mr. McCarthy: Then the question becomes what do you consider then...

548

549 Mr. Dove: I think it should be something with a roof on it.

550

551 Mr. Duell: We've got to put that in the definitions then.

552

553 Mr. Beard: The Board of Zoning Appeals has discussed a structure as having a foundation, so you have a
554 concrete patio, that is a structure and can't be in the setback. If you have a paver patio, that can be in the
555 setback as long as it doesn't have a concrete base because you can remove that. It's kind of the same
556 thing, if you have to remove the pavers, it's a lot easier to remove than the concrete. Especially if they're

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557 in an easement, like Soil & Water. We've had discussions with Soil & Water when it's been in their
558 easement, they say if they have to come in and clear out a flood because it's backed up, we'll just tear this
559 out.

560
561 Mr. Duell: I'd rather put that in the definition section, what constitutes a building, what constitutes a
562 structure.

563
564 Mr. McCarthy: We have structure, that is the one I read, but building we don't.

565
566 Mr. Duell: Then make sure the definition of structure is still appropriate.

567
568 Mr. Dove: Structure is an enclosed, 4 wall roofed facility or whatever; it's got to be enclosed.

569
570 Ms. Ault: Then a sun porch or 3 seasons room wouldn't have a true solid foundation probably underneath
571 it.

572
573 Mr. Duell: But its main structural components are probably in concrete.

574
575 Mr. McNulty: In the BZA that came up way too often. If you had pavers it wasn't a structure, if you had a
576 3' or 4' deck or anything, that was a structure; it didn't need a roof. That may be wrong but I know way
577 too often that was the discussion.

578
579 Mr. Beard: If you don't have decks as a structure, they could build a deck to their property line if they
580 wanted and we wouldn't be able to regulate it because they have a solid foundation.

581
582 Mr. McNulty: Like a paver patio, if you raised the pavers 3', that's now a structure.

583
584 Mr. McCarthy: Your Code seems to be a little inconsistent. For example, building setback, no building or
585 use shall be located closer to the right-of-way. Side yard setback, no building or structure shall be located
586 closer. Rear yard requirement, no building or structure shall be located closer; it seems to go back and
587 forth. With the 35' limitation if they still have enough yard left, you just take your setbacks, front, side
588 and rear, and just cover the rest of it.

589
590 Mr. Dove: So we need a better definition.

591
592 Mr. Duell: I still think we should wait.

593
594 Mr. McCarthy: I'm good either way. Consensus is hang onto that one until we do the big one?

595
596 Mr. Dove: Yes.

597
598 Mr. Duell: You said it goes from building or use to structure to building or structure; that's just 3 sections
599 right in a row.

600
601 Mr. Beard: With the structure, it's in with the setbacks, so we can still regulate the setbacks and then just
602 count the deck as part of the lot coverage, so they would still have to fall within the setbacks with how it's
603 written now because in lot coverage it just says buildings.

604
605 Mr. Duell: If we wait to address that so we get consistency within all these sections, does it need to be
606 done in this go around?

607

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608 Mr. McCarthy: You're going to have applications come in for a permit.

609

610 Mr. Beard: We have one in right now....

611

612 Mr. Duell: That covers the entire backyard?

613

614 Mr. McNulty: If you declared those as not a structure, yes.

615

616 Mr. Pychewicz: The purpose of it is obviously to maintain some type of green space and not have people
617 building these; obviously the setbacks dictate the majority of that. I'd be more comfortable to evaluate
618 either the percentage or if we're going to include structures, and structure being defined as in 4.01 as
619 anything with a permanent foundation, so that could be a deck, anything, if everybody is comfortable with
620 that, I think looking at the 25%, not to say we look at this tonight, may be what needs to be evaluated. Are
621 we still maintaining enough green space? Say that goes up to 30% because right now the Code is just
622 stating any buildings, they can't cover more than 25% of the area of the lot or parcel. Now we're adding
623 in any structure which means decks and whatever, so should that go up to 30% because now we're
624 allowing someone to add on this much to their building or deck or whatever.

625

626 Mr. McCarthy: Or you could just say no more than 25% buildings and no more than 30% buildings or
627 structures.

628

629 Mr. Pychewicz: And that's what I'm saying; I think it would be better to look at the percentage than try to
630 write out every single structure we can think of. I think it's fair to say anything with a foundation is a
631 structure.

632

633 Mr. Dove: You better define what a foundation is then. They might not think 2 posts in concrete is not a
634 foundation; I'm talking homeowner.

635

636 Mr. Duell: Again, the problem I see here is e) talks about building or structure, f) talks about building or
637 use, g) talks about structure and now we're proposing building and/or structure, so I think we need to
638 settle on, and I think it's part of the bigger discussion. It may not be appropriate for this amendment here.
639 With the bigger discussion coming, we might as well take care of it then rather than now.

640

641 Mr. Pychewicz: I agree.

642

643 Mr. Beard: Referring to the definition of structure, it says a fixed location on the ground; it doesn't say
644 foundation, so I don't know if we need to define that....

645

646 Mr. Dove: That's fine because you could have concrete whatever they are that your posts go on that sits
647 on the ground, so that would still be a deck.

648

649 Mr. McCarthy: Dennis, do you remember the application where the guy was living on one side of the
650 pond and was in a brawl with the guy on the other side of the pond; that was when the BZA reached their
651 wisdom. One gentleman thought the other one had installed landscaping and they were structures that
652 needed to be torn out.

653

654 Mr. McNulty: The Sheriff was here that night and they were arguing and we had to shut all that down,
655 we're not here for that, we're here to talk about this.

656

657 Mr. McCarthy: The BZA came out with a ruling, they asked the gentleman is that set in concrete. He said
658 no, it's dry laid on the ground, and they said it's not a structure and moved right on. For now there

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659 doesn't seem to be a consensus to leave in structures. Hearing no objections from the members, I would
660 ask if we can leave of the lot or parcels simply because it should be that way if you read the first part of
661 the sentence. Landscaping, this is a request that comes from Zoning, all vacant lots, take the word vacant
662 out. They've had some issues over time, enough that that was a specific request that stuck in Ms. Boni's
663 memory. When appropriate was just taken out because it doesn't make any sense. In preparing and
664 approving the parking plan, provisions of Article XXI, when appropriate shall be incorporated; if you
665 don't mean it, don't put it in the book. You can grant divergences but that just seemed to be a little
666 nonsensical. Fixed a bunch of a districts rather than this, district. 10.08, you see clusters going. The
667 reason for that, the only real difference, it didn't seem to serve any function. The only real break they get
668 is 5' on the front setback and you've always been able to deal with that in situations that warranted it.
669 Olentangy Crossings was one.

670
671 Mr. Dove: I always hated that section.

672
673 Mr. Duell: I can't recall anyone using it; they'd talk about it.

674
675 Mr. McCarthy: They'd say we're cluster under 10.08 but then not meet any of the standards.

676
677 Mr. Dove: Gives people the option to use a little bit of this and a little bit of that.

678
679 Mr. McCarthy: Anyway, 10.08 is going away. 10.09, again just making it clear that unless there's a
680 divergence, this is going to apply. And the same thing with the standards; consider rather than determine,
681 get that kind of language out. 11 basically mirroring 10, creation of such number of individual districts
682 and separate and unique. Again, the same language, 11.03 added to it and 11.07 a), this is still leaving the
683 potential for cluster housing in there. Never really had a true cluster with the exception of Summerfield;
684 that actually is cluster.

685
686 Mr. Duell: Where's that?

687
688 Mr. McCarthy: Right across the street; that nice field on Orange Road. That's their green space and that
689 was one where the developer showed up with a traditional subdivision that would look like anything
690 south of Orange Road and neighbors objected because they wanted some buffer between these new
691 people that they didn't know. So the developer came back and clustered it, gave them some green space,
692 increased the setback and out it went. We did end up in a fight. Originally they were told that every house
693 in there would be white, give a certain appearance, and as soon as it was taken over by another entity, the
694 houses weren't white and that part didn't make it into the text, so part of the press of the evolution started
695 there, but the true cluster is you take the site, apply the density permitted, then you shove all the houses at
696 one end. So you're reducing the setbacks and all that, but overall density of the tract is not affected and,
697 again, with the exception of Summerfield, most of the time when people say we're clustering, they're
698 asking for more density than your book has permitted, so that's always been a decision you guys have had
699 to grapple with. The language is pretty much mirroring the same idea as in Article X, sales is on the
700 prohibited use for trailers here as well. 11.05, same kind of changes we made in 10; they all read the same
701 so you see them carried thru. Same with the criteria, consider and whether rather than the other. Then
702 effective approval; we see the same changes we saw before. Three years is out, the extension of time is
703 out, it will be the rule, so when you put it out, and we've had very few plans that when they were brought
704 back, I'm not sure we've had any that were refused an extension because if you look at the plan and it still
705 makes sense, why go thru all that again? Some of them just expire because the developer expired, but
706 that's a different situation. Again, we're making the same changes to that section as we made before.
707 Same thing with administrative review being taken out. 11.07, the development standards for the multi-
708 family, again you're seeing the same language being put in there. You're seeing the density bonus taken
709 out. We've talked previously that that was a well intentioned effort that never bore any fruit. The only

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710 thing it did do was bring you Ravines at Lewis Center. Legal articles, that is being taken out simply
711 because it's never been done, probably subject to, but you guys have never looked at it and that is original
712 language. Again correct "this district" over to "a district". Vacant lots, vacant coming out; all lots will
713 now be kept seeded for excess erosion and drainage. Same changes; "a district" rather than "this district".
714 Turning to XIV, the PC, same thing, individual districts, same thing unless there's a divergence or the use
715 isn't approved in the development plan; it doesn't exist. The use can happen but they're only permitted if
716 they're approved in the plan. What this is intended to prevent, there's a difference in considering a site,
717 for example, if you think it's going to be an office use up against a residential district and a major hospital
718 facility possibly, lights on 24/7, etc., so that's where that started at and that's been done consistently by
719 the Board for a number of years. I think North Orange was one of the last ones to say we'll do the whole
720 list except this and that, and since then you've seen it evolve more toward we're doing this, this or that
721 and that's it. It can also have different traffic impacts depending on the nature of the use but also you get
722 into the projection of the adjoining uses again, looking at property value preservation, things of that sort.
723 Permitted uses, we see the same kind of changes we saw before. Procedures again, "a district" not "this
724 district". Criteria, same language, consider and whether, not if. Extension of time and modification, that
725 coming out; reverter coming out. We've never really had an issue with reverter because anyone who
726 wanted an extension got one, and I guess the folks who didn't come for one just passed into history. Their
727 successors either didn't know it was zoned or didn't even bother to try. Administrative review, same as
728 the others. 14.07, development standards, again, unless there's a divergence, these are going to be the
729 standards. After a lot of work this is kind of tangential, but I think your disclaimer has come a long way
730 since it was first proposed by a developer oddly enough, as a way to possibly make the process a little
731 easier to go thru. PERD's, such number of districts as may be created. Again, permitted uses, they may be
732 permitted if approved in the development plan. I think you guys were involved in the creation of a home
733 for senior style housing, kind of intended originally to fill in on the east side of the tracks in those in-fill
734 areas that remain. That what could you put there if you didn't want to put multi-family and you certainly
735 didn't want commercial because you never wanted commercial there. Borrow pits, it's in the original
736 plan, you can have them. When we get to the other discussion, when you get to borrow pits, one thing
737 you've done more recently came from the Commission was that borrow pits are only going to serve this
738 development and the required related infrastructure. That might be language to pull in here but we're not
739 doing that right now so we won't push the point. Permitted uses again, we're tracking thru the same
740 changes we made before. Procedure, again "a district" instead of "the district". Criteria for approval, you
741 have more for PERD for some reason. I think it's because of the sources you look to to putting together
742 the text. Effective approval; same changes we saw before. Extension of time is out, three years is out,
743 reverter's out, administrative review is coming out again. Development standards again, unless there's a
744 divergence, these are the rules of the road, so they're free to ask for a divergence; you guys have seemed
745 to be able to work thru those, the Trustees have seemed to be able to accept an understanding of the
746 process you went thru, so that flexibility will remain in the Code.. The existence of divergences is an
747 option in our Code. It's also an indication that someone back in the day was looking at it from our side as
748 a negotiation as well in the plan process which really is an element of that and requires a lot more
749 thinking. Next page, just standardizing it, making the development plan the overall plan and making it
750 very clear that if it's not in there, it's not in there, don't talk to us about it. PID, Planned Industrial, same
751 thing; we haven't zoned any of that lately. Again, such number of individual districts as may be approved;
752 that lies with you folks and the discretion of the Trustees. If approved as part of the development plan,
753 you'll see that a lot. Development plan is to be under 519.02 1 b), the rules of the road for this process.
754 Regional Planning advocates a 2 phase process and the Township has never wanted to do that because
755 with a 2 phase process there's no referendum on the ultimate result, so they've never wanted to do it, so
756 I'm curious as to what they're going to say when we send this to them. Criteria, same thing. Effective
757 approval, same changes being made overall. Getting administrative modification out of there,
758 administrative review coming out. Development standards, 17.07, same type of changes. It's going to be
759 per the development plan; unless there's a divergence, these are the rules of the road. Those are the rules
760 you'll be looking at when we go thru the lengthy one. Again, "a district". Those are the nature of the

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761 changes that have been suggested by the Trustees. We have 2 changes; 10.07, we're eliminating
762 maximum lot coverage there and 11.07 a)1), removing the cluster part. Are there any other changes that
763 are desired/suggested to the Trustees?

764
765 Mr. Dove: Not that's in red.

766
767 Mr. McCarthy: I'll prepare a motion and indicate the text as recommended by or suggested by the
768 Trustees is recommended for approval with those 2 modifications.

769
770 Mr. Duell: I know Michele had asked for us to consider a vote tonight. I just want to make it clear we're
771 not doing that because we have to wait for Regional Planning.

772
773 Mr. McCarthy: We have to consider Regional Planning's recommendation; that's a 519.12 requirement.

774
775 Mr. Duell: I just want to make sure that's clear.

776
777 Mr. McCarthy: I don't remember the place, but somebody didn't, and they got bopped on the head. The
778 Legislature is like the King of England; has all the power and gives it out sparingly and this Township has
779 been responsible for a good number of changes to the Revised Code but we have a Regional Planning
780 Commission and I think we're fortunate to have that expertise. It doesn't mean we always follow their
781 recommendation, it doesn't mean we always agree with what you do but...

782
783 Mr. Dove: Another set of eyes.

784
785 Mr. McCarthy: And they have a lot of good information available on line.

786
787 Mr. Duell: So despite the fact that we had a request for a vote, we have to wait for Regional Planning.

788
789 Mr. McCarthy: As Regional Planning indicated, we have to defer this thing.

790
791 **MOTION TO RECESS THE DISCUSSION TO AMENDMENTS TO THE ORANGE**
792 **TOWNSHIP ZONING RESOLUTION**
793

794 Mr. Dove made a motion to recess the discussion to amendments to the Orange Township Zoning
795 Resolution until Tuesday, April 2, 2019 at 7:00 p.m. at the Orange Township Hall; seconded by Mr.
796 Pychewicz.

797
798 Vote on Motion: Mr. Duell-yes, Mr. Dove-yes, Mr. McNulty-yes, Ms. Ault-yes, Mr. Pychewicz-yes
799 Motion carried

800
801 Meeting adjourned at 8:35 p.m.

802
803 Minutes prepared by Cindy Davis, Zoning Secretary

804
805 On June 25, 2019, Mr. McNulty made a motion to approve the meeting minutes of the Orange Township
806 Zoning Commission for Special Zoning Commission Meeting – Code Amendments dated March 19,
807 2019 with the following corrections:

- 808
809
- 810 • Throughout the entire document: for reference to “a district”, “the district” “this district”, “a
811 Single Family District”, “the Single Family District”, the reference shall be put in quotes.
 - Line 145: the sentences should read: “...and also the Kenney. So, those are the kinds of...”

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- 812 • Line 149: “fore-slope” should read “slope”
- 813 • Line 183: “501” should read “5.01”
- 814 • Line 196: the sentence should read: “...a note of it before we finish.”
- 815 • Line 203: “bring” should read “bringing”
- 816 • Line 300: “mecha” should read “Mecca”
- 817 • Line 337: “B12” should read “b) 12)”
- 818 • Line 337: the sentence should read: “...and divergences or how that would....”
- 819 • Line 339: “therefore” should read “therefor”
- 820 • Line 341: “effective approval” should read “effect of approval”
- 821 • Line 350: the sentence should read: “...zoning district in the book and....”
- 822 • Line 418: “up” should read “off”
- 823 • Line 435” the words “isn’t it” should be placed in quotes
- 824 • Line 481: “10.31” should read “1031”
- 825 • Line 498: “A-1” should read “10.07 a) 2)”
- 826 • Line 689: “wouldn’t” should read “would”
- 827 • Line 696: “effective” should read “affected”
- 828 • Line 753: “519.02 1)b)” should read “519.021 b)

829

830 Seconded by Mr. Pychewicz

831

832 Vote on Motion: Mr. Duell-yes, Ms. Trebellas-abstain, Mr. McNulty-yes, Mr. Pychewicz-yes, Ms. Ault-
833 yes

834

835

836

837

838

839