

Present	Title	Name
X	Mayor	Rodney Luma
X	Council Member	Robert Miller
X	Community Member	Brian Hardin
X	Community Member	Lisa Nickles
Absent	Community Member	J. Johnston

**Guests:**

Mike Ridenour  
Tim Walti  
Peggy Walti  
Diane Dulebohn

**Call to order at 7:00 PM**

**Minutes from Last meeting**

Motion to approve by \_\_\_\_\_  
Vote:

No minutes from previous meeting were presented, read or available for approval by committee

**Old Business**

None presented

**New Business:**

**1. PETITION REQUEST FOR ZONING VARIANCE:**

**Mike Ridenour** presented a petition to change zoning classification for property located at 318 E. Wapakoneta Street from a C1 (commercial) to R1 (residential).

**Ridenour** reported the current property owner is converting the primary building into 3 apartment units.

According to **Ridenour** the owner is requesting the change in classification so that building requirements would be less restrictive and reflective of the residential application.

**Questions:**

**Nickles:** Is there any type of blue print available for the proposed internal changes?  
How many points of egress are planned in case of fire?

Ridenour said he did not know but could ask.

**Hardin:** Does the owner plan to complete remodeling to incorporate state level fire building codes? i.e hard wired smoke detectors, fire walls and fire blocking to ensure occupants safety in case a fire would occur. Ridenour stated it was his understanding that the property owner has talked to the state. He also stated he had not been in the building and was unsure as to how construction was being completed. He had only seen the windows and boarding on the outside. Existing Zoning requirements do not require the issuance of a permit for remodeling completed within an existing structure.

**Nickles,** suggested a letter be sent to the property owner requesting additional information so an informed vote could be conducted. Also, all communication should be in writing so there is a record of events.

Vote was tabled until further information can be obtained.

*\*this item should be added to the next meetings agenda for discussion*

**2. Review/Revise Articles/Subsections of Draft Amended Zoning Ordinance.**

(changes or sections that where highlighted by the Village Solicitor for review)

Page Reference	Article Number	Proposed Change	Action
17	6.10	Off Street Parking and Loading	Tabled no vote
		Decision: Entire section needs rewritten. Items to consider is the removal of “grassy areas”. The inclusion of ORC defined “sight triangle” which relates the line of sight at intersections so vehicle traffic can safely enter intersection.	
18	6.17	Drainage Improvoment	
		Discussion: no changes needed <b>Nickles</b> Motioned to approve as written. <b>Hardin</b> seconded.	<b>APPROVED</b> Luma. Yes Miller. Yes Hardin. Yes Nickles. Yes

Page Reference	Article Number	Proposed Change	Action
22	9.1.6	Removal/Subsequent replacement of mobile home	
		<p>DISCUSSION:</p> <p>Draft zoning currently does not have a well defined description of “mobile home”. It was discussed years ago that “mobile homes” where not something the village wanted to encourage or allow to be utilized within the Village limits. This subsection is designed to address existing mobile homes. However, due to the lack of a well defined “Mobile Home” definition it is unclear as to what this would apply to.</p> <p><b>Hardin</b> and <b>Ridenour</b> discussed the conversion of a “double wide” mobile home to a permanent home by removal of the tongue and wheels then placing on a cinder block foundation.</p> <p><b>Hardin</b> stated the construction of mobile homes has changed and the newer homes are constructed utilizing building standards that greatly improve the chances of survival in cases of fire.</p> <p><b>Nickles</b> read an example from another municipality:</p> <p>Mobile Home: A transportable factory-built home designed to be used as a year round residential dwelling and built prior to enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976, or built subsequent to such Act be not certifiable to compliance with it</p>	<p><b>Nickles will investigate Federal Manufactured Housing Construction and Safety Standards Act of 1974 and bring information to next meeting</b></p>

Page Reference	Article Number	Proposed Change	Action
27	11.1.4	<p>Book binding and upholstering shops, laundry or dry cleaning , new and secondhand automobile <b>automotive sales, automotive repair</b>, truck, trailer, farm implement sales and repair facilities; provided that the premises shall be enclosed by <b>an opaque</b> wall or fence at least six (6) feet high when it adjoins in the rear or on the side of any R District, public park school or church.</p>	
		<p>DISCUSSION:  <b>Nickles:</b> In the definitions section of the Draft Amended Zoning Ordinance (Article 4) the term “adjoins” is not specified. However, the term “abutting” which I believe is the meaning implied here is defined. The following change was suggested:</p> <p>..... wall or fence at least six (6) feet high when it <del>adjoins</del> <b>abuts</b> in the rear or on the side of any R District, public park school or church.</p>	
43	19.1	<ol style="list-style-type: none"> <li>1. ...unless approved by zoning inspector.</li> <li>2. No fence shall be erected within 3 feet of property line or right of way...</li> <li>3. All fences erected shall be inspected....</li> <li>4. Fences must be erected using appropriate material....</li> <li>5. Fence height shall not exceed six and one half feet...</li> <li>6. Fences shall not contain an electrical charge</li> <li>7. Property owners just keep the area in and around fences free of height weeds,....</li> <li>8. Fences shall be anchored firmly in the ground..</li> <li>9. Location of property pins and/or copy of survey performed by a state licensed registered surveyor...</li> </ol>	

Page Reference	Article Number	Proposed Change	Action
		<p><b>DISCUSSION:</b></p> <p><b>Hardin:</b> Concerns regarding the 3 foot from the property line requirement for fence placement. He stated these regulations as written where not usable and entire section needed to be rewritten.            Guest Tim Walty expressed concern regarding 19.1.9 stating a Mortgage survey will not be accepted for bounty line determination.</p>	<p>19.1 needs to be completely rewritten</p> <p>Changes tabled</p>
53	23.0	Nuisances	
		<p><b>DISCUSSION</b></p> <p><b>Nickles:</b> Title of this article very negative new article could replace i.e Property Maintenance or Lawn/Landscape Maintenance</p>	<p>No action. Section needs to be completely rewritten</p>
	23.0.1	"Noxious weeds" "rank vegetation"	
		<p><b>DISCUSSION:</b></p> <p>No definitions for these terms in definitions section.</p> <p><b>Hardin:</b> <b>Noxious weeds</b> is defined in ORC</p>	
	23.1.1	Trimming of Trees	<ol style="list-style-type: none"> <li>1. Worded to be subjective to enforcement officer interpretation</li> <li>2. Need definition of tree lawn</li> <li>3. Use of "sight triangle" as defined in ORC</li> </ol>

Page Reference	Article Number	Proposed Change	Action
		<p><b>DISCUSSION:</b></p> <p><b>Nickles:</b> This entire section is worded in such a way that it could be subjectively enforced. Stated, the Village should be financially responsible for the trimming of trees to ensure roadways, street lights and power lines are not obstructed. Many of, if not all of the trees currently planted in the Tree Lawns where planted by the Village. The financial burden for the trimming of those trees should not be put on the residents.</p> <p>Suggestions to include in this subsection of Article 13:</p> <ol style="list-style-type: none"> <li>1. "Easement" in which no new trees, shrubs, etc should be planted abutting roadways, alleys, or under lights and electric lines. May include use of "sight Triangle Line"</li> <li>2. Definition of "tree lawn" if this is a term we plan to reference</li> </ol>	<p>No Action item continued as area of review</p>
53	23.1.2	Sidewalks, curbs and gutters	
		<p><b>DISCUSSION:</b></p> <p><b>Nickles:</b> Maintaining the roadways during times of snow or ice accumulation is the responsibility of the Village. Curbs and gutters are a part of the roadway. Council should/could create an ordinance/resolution restricting the parking of vehicles on roadways when "X" amount of snow has accumulated. (Similar to what other municipalities do). Sidewalks should be the responsibility of property owners. On some non main roads residents have sidewalks that do not join any other sidewalks these maybe exempt from this requirement.</p> <p><b>Hardin:</b> agreed but felt the entire Article 23 needed to be rewritten.</p>	<p>No action, tabled Article 23 needs to be completely rewritten</p>

**Other Business for the good of the order:**

1. Schedule for future meetings:

**Nickles** inquired as to the frequency of committee meetings. Committees normally meet once a Month. Committee members agreed that additional meetings should be scheduled to facilitate the completion of Zoning changes / updates in a timely fashion. After discussion it was decided to schedule a meeting every other week for the next six months. Mayor Luma was asked to bring a potential schedule of meeting dates to our next meeting for members to review and solidify. It was agreed our **next meeting would be March 31, 2022 at 7:00 PM in the Waynesfield Municipal Building.**

2. Items to review for next meeting

Committee agreed to review Articles 1-4 for our next meeting. Members to bring suggestions/corrections or additions to all sections. Special attention on Article 4. Definitions.

3. **Nickles** ask **Ridenour** if in the future copies of **Zoning Change Petitions** be provided to Zoning Board of Appeals members prior to meeting. This will give Board members the opportunity to research request and be better informed in the decision making process. Also, those petitions would become part of official minutes.

**Ridenour** said that should not be a problem.

**Adjournment**

**Hardin motion to adjourn meeting**  
**Miller seconded**

**Vote: Luma- yes**  
**Hardin- Yes**  
**Nickles- yes**  
**Miller -Yes**

**Adjourned at \_\_\_8:40PM\_\_\_ (not sure of time)**