

July 13, 2010 – 7:00 p.m.

7134 East Sparta Ave. S. E., East Sparta, Ohio

Members present were Paul Mosberger, Don Charnetzky, and Doug Baum presiding. Also, present were Zoning Commission members Linda Zaleski, Ron Morrow, Carol Barto; Board of Zoning Appeals members Jerry Werner, Louis Grooms, Robert Miller, Bob Burkhart, as well as Zoning inspector, Sharon Perrine and Zoning Recording Secretary, Denise Young. Additionally present was Kelly Mosberger.

Doug Baum opened the meeting at 7:00 p.m. stating the purpose of the public meeting was to adopt, deny and/or amend the text changes to the Zoning Resolution that were presented to the Board at the June 21, 2010 trustees meeting by the Zoning Commission, as follows:

PART I – RECREATIONAL FACILITIES and/or RECREATIONAL VEHICLES

SECTION TWO DEFINITIONS: (pages 1, 14)

ADD:

(1) ALL PURPOSE VEHICLE: Any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as, but not limited to, all-terrain vehicles, all-season vehicles, snowmobiles, mini-bikes, dirt bikes, 4-wheelers, and trail bikes. “All-purpose vehicle” does not include a utility vehicle as defined in this Resolution or any vehicle principally used in playing golf.

(2) RECREATIONAL FACILITY: A place designed and equipped for sports, leisure-time, or entertainment activities, but not including those uses otherwise specifically defined or regulated in this Resolution. As provided in this Resolution, recreation facilities are of five types:

RECREATIONAL FACILITY, TYPE A. Outdoor recreation facilities, usually requiring a large space, which are relatively quiet and compatible with residential uses, including but not limited to such activities as a regulation golf course and club house, picnic area, playground, trails for walking, bicycling, or horse-riding (excluding trails used by motor vehicles or all purpose vehicles); fishing; non-motorized boating; observation of nature; and similar facilities and activities.

RECREATIONAL FACILITY, TYPE B. Outdoor recreation facilities for intense sports and athletic activities including but not limited to field sports, baseball field, soccer field, swimming pool, tennis court, basketball court, miniature golf course or golf driving range.

RECREATIONAL FACILITY, TYPE C. Indoor recreation and entertainment facilities, including but not limited to those required for indoor court sports, shooting ranges, athletic clubs, bowling alleys, theaters, auditoriums, lodge halls, or social clubs.

RECREATIONAL FACILITY, TYPE D. Outdoor recreation facilities which are not classified as Type A, or Type B, which may generate noise, including, but not limited to outdoor shooting ranges, rodeo grounds or campgrounds.

RECREATIONAL FACILITY, TYPE E. Outdoor recreation facilities which are not classified as Type A, Type B, or Type D, which may generate noise and may otherwise not be compatible with residential uses, including but not limited to, amusement park, race track or trail for motor vehicles, or all purpose vehicles.

(3) UTILITY VEHICLE: A self-propelled vehicle designed with a bed, principally for the purpose of transporting material or cargo in connection with construction, agricultural, forestry, grounds maintenance, lawn and garden, materials handling or similar activities.

MODIFY: (pages 13, 14)

(1) MOTOR VEHICLE: means any vehicle, including mobile homes and recreational vehicles, that are propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires. "Motor vehicle" does **not** include "Utility Vehicles" as defined within this section, used in construction work and not designed for or employed in general highway transportation, well-drilling machinery, ditch-digging machinery, and farm machinery.

(2) RECREATIONAL VEHICLE: (see Motor Vehicle and/or All Purpose Vehicle)

SECTION FOUR, TITLE I (C) – R-1 Residential District...Conditionally permitted use (page 25)

MODIFY:

(2) Recreational facility Type A, Recreational facility Type B, both subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (17), (32), (44) and (52).

(6) Recreational facility, Type D, subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (16), (17), (32), (44) and (52).

ADD: (page 26)

(14) Recreational facility, Type C, subject to subsections (1), (2), (3), (5), (10), (12), (14), (15), (16), (17), (30), (32), (44), (51) and (52).

SECTION FOUR, TITLE II (C) R-2 Residential District...Conditionally permitted use (page 27)

MODIFY:

Recreational facility, Type C, subject to subsections (1), (2), (3), (5), (10), (12), (14), (15), (16), (17), (30), (32), (44), (51) and (52).

ADD: (page 28)

(6) Recreational facility Type A, Recreational facility Type B, both subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (17), (32), (44) and (52).

(7) Recreational facility, Type D, subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (16), (17), (32), (44) and (52).

SECTION FOUR, TITLE III (D) – R-3 Mobile Home Park District..... Conditionally Permitted (page 30)

ADD: (page 30)

(3) Recreational facility Type A, Recreational facility Type B, both subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (17), (32), (44) and (52).

(4) Recreational facility, Type C, subject to subsections (1), (2), (3), (5), (10), (12), (14), (15),(16), (17),(30), (32), (44), (51) and (52).

(5) Recreational facility, Type D, subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (16), (17), (32), (44) and (52).

SECTION FIVE, TITLE I (C) - COMMERCIAL BUSINESS DISTRICT (B-1)..... Conditionally Permitted (page 34)

MODIFY:

(3) Recreational facility, Type C, subject to subsections (1), (2), (3), (5), (10), (12), (14), (15), (16), (17), (30), (32), (44), (51) and (52).

ADD:

(7) Recreational facility Type A, Recreational facility Type B, both subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (17), (32), (44) and (52).

(8) Recreational facility, Type D, subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (16), (17), (32), (44) and (52).

SECTION FIVE, TITLE II (B) - COMMERCIAL BUSINESS DISTRICT (B-2)..... Permitted Uses (page 35-36)

ADD:

(19) Recreational facility Type A, Recreational facility Type B, Recreational facility Type C.

SECTION FIVE, TITLE II (B) - COMMERCIAL BUSINESS DISTRICT (B-2)Conditionally Permitted
(page 36)

MODIFY:

- (3) Recreational facility, Type D, subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (16), (17), (32), (44) and (52).

SECTION SIX, Title I, (B) - RESTRICTED INDUSTRIAL DISTRICT (I-1)Permitted Use (page 39 - 40)

ADD:

- (7) Recreational facility Type A, Recreational facility Type B, Recreational facility Type C

SECTION SIX, Title I, (C) - RESTRICTED INDUSTRIAL (I-1)Conditionally Permitted (page 40)

MODIFY:

- (4) Recreational facility, Type D, subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (16), (17), (32), (44) and (52).

ADD:

- (7) Recreational facility, Type E, subject to subsections (2), (3), (5), (6), (10), (12), (13), (15), (16), (17), (32), (44), (51), (52), and (53).

SECTION SIX, Title II (C) GENERAL INDUSTRIAL (I-2).....Conditionally permitted uses (page 43)

MODIFY:

- (4) Recreational facility Type D, subject to subsections (1), (2), (3), (5), (10), (12), (13), (14), (15), (16), (17), (32), (44) and (52).

ADD:

- (12) Recreational facility, Type E, subject to subsections (2), (3), (5), (6), (10), (12), (13), (15), (16), (17), (32), (44), (51), (52), and (53).

PART II - Zoning Certificate Requirement

ADD: (subsection (17) below

SECTION SEVEN, TITLE IV, (A) (17) to the following Conditionally Permitted Uses:

(17) Any Conditional Zoning Certificate for a use permitted under these regulations *shall* be issued for a period of one (1) year. *Not less than sixty (60) days* prior to the expiration of said certificate, the permit holder shall apply for a renewal of the Conditional Zoning Certificate. *Prior to the expiration of said certificate the Zoning Inspector shall inspect and determine whether any violation of the Conditional Use Zoning Certificate exists. Following the inspection by the Zoning Inspector, if determined that a violation does exist, or if during the permit year a violation was cited, then the Board of Zoning Appeals shall conduct a public hearing to determine whether or not issue a continuation of the Conditional Use Zoning Certificate for an additional one (1) year period. If no violation exists and if, during the permit year, no violation was cited, then the Zoning Inspector may issue a Conditional Use Zoning Certificate for an additional one (1) year period. (amended effective 7/5/2006).*

R-1.....SECTION FOUR, TITLE I (C) – Item (3), (4), (5), (7), (8), (9), (10), (11), (12), (13)

R-2.....SECTION FOUR, TITLE II (C) – Item (1), (2), (3), (4)

R-3.....SECTION FOUR TITLE III (D) – Item (1)

B-1.....SECTION FIVE, TITLE I (C) – Item (1), (2), (3), (4), (6)

B-2.....SECTION FIVE, TITLE II (C) – Item (1), (2), (3), (4), (6)

I-1.....SECTION SIX, TITLE I (C) – Item (1), (5), (6)

I-2.....SECTION SIX, TITLE II (C) – Item (1), (5), 10)

Linda Zaleski, president of the Zoning Commission, gave an overview of the process the Zoning Commission went through to arrive at the recommended changes. She also presented a chart summarizing the changes to Recreational Facilities in each zoning district.

Open Discussion continued between those present and the Trustees and Zoning Inspector. Linda said in the September the Zoning Commission would bring under discussion constructing a new subsection regarding minimum acreage for some recreational use facilities and any other business.

Doug Baum called for a motion to be made.

Motion made by Don Charnetzky to adopt the recommendations of text changes as presented by the Pike Township Zoning Commission, seconded by Paul Mosberger.

VOTE: Don Charnetzky – Yes
Paul Mosberger – Yes
Doug Baum - Yes

Vote was unanimous to adopt the text changes to the Zoning Resolution.

OTHER ZONING BUSINESS – None

FUTURE BUSINESS – Zoning Commission to discuss/ review sub sections
Next Trustee meeting is at Melscheimer School on July 19, 2010

Don Charnetzky made a motion to adjourn the meeting seconded by Paul Mosberger. Doug Baum adjourned the meeting at 8:01 p.m.

Minutes read and approved:

Don Charnetzky

(date)

Paul Mosberger

(date)

Doug Baum

(date)