

## Zoning Commission

Regular Meeting

September 3, 2009

1

Ch. Kamps called the meeting to order at 7:30 p.m.

Roll found: Kamps, Siarkowski, Walrath, Powell, Spellman and Kman present. Nehren Absent. Also present Trustee Schulte

Minutes of the July 2, 2009 regular meeting were reviewed. Mr. Powell made a motion to accept the minutes

Mrs. Siarkowski second.

**Vote: Kman - yes Spellman – yes Powell yes Walrath – yes Siarkowski – yes**

### New Business:

Ch. Kamps reported that he would like to begin some discussion relating to the letter from Mrs. Catherwood, although she cannot be present and they will discuss the issues at a later date when she can be present. Mr. Schulte is in attendance to represent Trustees.

Discussion regarding amendment to the setback in the business district. Ch. Kamps hasn't had an opportunity to get information on nearby communities, so it's up to board if they want to pick an arbitrary figure or check with other communities. Possibly check with Montville or Richfield.

Mr. Powell inquired as to what they are trying to accomplish, and Ch. Kamps stated they are trying to protect the neighbors. Discussion continued on this point.

Ch. Kamps stated that this will be put on hold until Mrs. Catherwood could be present.

Ch. Kamps stated that another item is Section 3 definitions, Mrs. Catherwood had asked about including the definition of contiguous especially in connection with conservation district zoning. The Commission spoke of this a couple months ago, and it was agreed the definition would be "in actual contact" as in touching. Mrs. Siarkowski had done research on this and basically it means touching.

Ch. Kamps made motion to approve that as the definition: Mrs. Siarkowski moves, Mr. Powell seconds.

Ch. Kamps asked for comments from anybody.

Discussion followed regarding what is contiguous and if a parcel split by a road way would be considered contiguous and if we are trying to encourage conservation development.

Ch. Kamps stated that this issue will be put on hold while it's being researched.

Ch. Kamps stated that there is a motion on the floor and this can be voted down.

**Vote: Kman - No Spellman - No Walrath - No Siarkowski - No**

## Zoning Commission

Regular Meeting

September 3, 2009

2

Ch. Kamps stated that the next item is Medina County building permits for fences over 6' high. New language would be as follows: Fences 6' high and over require a zoning permit and also a county building permit. Suggests that we change the language to indicate the County requires a building permit for a 6' high fence. .

Motion made by Mr. Walrath, seconded by Mr. Powell

**Vote: Kman - Yes Spellman - Yes Walrath - Yes Siarkowski - Yes**

Ch. Kamps stated that Mrs. Catherwood would like to be present for the discussion regarding the size of accessory buildings, but Ch. Kamps would like to begin discussion regarding this issue.

Trustee Schulte inquired as to how the Township came up with 1800 foot requirement, why it is that square footage amount and if it should be reconsidered. Trustee Schulte stated that if someone has a larger lot is it possible to consider that lot differently. Trustee Schulte stated that he believes that there are other municipalities that have language that pertains to bigger lots. Further discussion followed about these issues.

Mr. Powell questioned what is t trying to prove by this? Do we really care what a guy puts in his yard.

Original intent was so the accessory building was subordinate to the main residence. Did not want the garage to overwhelm the house. Mr. Powell pointed out that there are many huge barns in Hinckley that have a smaller house in front of it.

Mr. Powell stated that it is his opinion that the whole thing should be done away with and a small lot should have restrictions, but a bigger lot should be able to build what he wants to build, and we should add that home-based businesses are prohibited in those accessory buildings. Ch. Kamps stated that the original intent was so the accessory building was subordinate to the main residence, they did not want the garage to overwhelm the house, however, Mr. Powell pointed out that there are many huge barns in Hinckley that have a smaller house in front of it. Discussion followed regarding these points.

Ch. Kamps stated that the discussion will be put on hold and when Mrs. Catherwood is available they will discuss further.

### Conservation Development:

Ch. Kamps stated that the Apple Group decided to sign deal with Pulte Homes for Walden Pond development. Pulte Homes is a nationwide builder. There is concern among existing neighbors about the style of house Pulte will be building. There are homeowner association rules and regulations which Pulte will have to adhere to.

## Zoning Commission

Regular Meeting

September 3, 2009

3

One item that came up that is not in zoning book, they are utilizing a model home as a sales office; continuation will depend on number of homes sold. Nothing in the zoning book about model homes being a sales office. Ch. Kamps looked at Montville Township's zoning regarding this issue. Ch. Kamps stated that Mrs. Catherwood would like to be included in discussions regarding this issue.

Discussion regarding the issue of sales offices in model homes and Pulte.

Mr. Schulte stated that a lot of time has been spent working with Pulte on this issue and it will come up again, so it's important to define what is going to be done.

One thing to think about is there is nothing in our zoning code about how many model homes can be built, but we can do something about a salesman working in the model home.

Ch. Kamps stated that regarding signs, several people are going to sign clinic, Mr. Pope will send an email on September 16. Mr. Weinstein from Cleveland State will be the speaker.

Patrice, Mr. Pope and Ch. Kamps went through Section 10.

The draft will come in October regarding the signs and it will be distributed before the October meeting.

There will be a wind power seminar at the Tech Center next month. The wind turbines would need to be 100' high in Hinckley to be successful.

Discussion re same.

Ms. Siarkowski made a motion to adjourn at 9:40 p.m.

Mr. Spellman second

**Vote: Kman - yes   Spellman – yes   Powell yes   Walrath – yes   Siarkowski – yes**

***Signatures on following page***

**Zoning Commission**

Regular Meeting  
September 3, 2009  
4

Patty Garrett, Zoning Clerk

Minutes Approved: \_\_\_\_\_, 2009

\_\_\_\_\_  
Jim Kamps, Chairman

\_\_\_\_\_  
Karen Siarkowski, Vice Chairman

\_\_\_\_\_  
Terry Walrath, Member

\_\_\_\_\_  
Calvin Powell, Member

\_\_\_\_\_  
William Spellman, Member

\_\_\_\_\_ *absent* \_\_\_\_\_  
John Nehrenz, Alternate Member

\_\_\_\_\_  
Mel Kman, Alternate Member