

RECORD OF PROCEEDINGS

MAY 13, 2009

Meeting was called to order at 6:00 p.m. by Chairman Walt Lange

Roll call was taken by Chairman, Walt Lange

Members present: Chairman, Walt Lange, Vice Chairman, Joe Kahl, Sally Wylie, and James McConkey. Robert Westmark - Absent due to surgery

Township Officials & employees present: Walt Hallett, Zoning Inspector, Trustee James Leu, and Christine Lauch, Administrative Assistant

Visitors: Steve Brown, Fulton County Regional Planning Commission, Daryl Shelt, Darrin Gramling, and Vaughn Miller

The meeting was called to discuss proposed changes to the current Swan creek Township Zoning Resolution.

The board discussed Mr. Hallett's suggested language changes to the Nonconforming Use/Structures Article 100-6.7 of the Resolution.

The Board members feel the nonconforming validations should renew automatically if they continue to remain legal. The nonconforming situations will be regulated when the township receives a complaint or when a Zoning Permit application is filed. Once these occur, the Zoning Inspector will require a nonconforming validation permit. Steve Brown noted the township needs to keep a record of them upon becoming aware of them.

❖ Proposed Amendment #1:

Nonconforming Validation Certificate 100-6.7 - #1, #3, & #4

(The underlined text is proposed additions to the current language)

1. At any time after the adoption of this resolution should the Township become aware of a nonconforming use, the owner of said nonconforming use shall be notified by the Zoning Inspector of the provisions of this section that ~~his property constitutes~~ there exists on the property a nonconforming use. Within thirty (30) days after receipt of said notice, the owner shall apply for and may be issued a Validation Certificate for the nonconforming use. The application of such certificate shall designate the location, nature, and extent of the nonconforming use and such other details as may be necessary for the issuance of the Validation Certificate.
3. If the Zoning Inspector shall find, upon reviewing the application for a Validation Certificate, that the existing use is illegal or in violation of any other ordinance of law or if he finds that the building for which the Certificate is requested has been constructed or altered for the existing use of any other use without full compliance with the Building Code or the Zoning Resolution in effect at the time of construction or alteration, ~~shall not issue the Validation Certificate but shall declare such use in violation of this resolution.~~ the Zoning Inspector shall declare such use in violation of this resolution and repeal the vested right granted by the Validation Certificate.
4. The Validation Certificate issued by the Zoning Inspector for nonconforming use shall state the use and may be continued ~~for a period of twelve (12) months.~~ ~~The Validation Certificate may be renewed,~~ provided the existing use remains legal or in compliance with any other ordinance of law, or in the case

of a building remains fully compliant with the Building Code of the Zoning Resolution in effect at the time of its construction or alteration.

- Sally Wylie made a motion to propose the amendment of the above language, a 2nd was heard from Joe Kahl.
~ Roll Call: Walt Lange - yes, Joe Kahl - yes, Sally Wylie - yes, Jim McConkey - yes,
Bob Westmark - absent

❖ Proposed Amendment #2:

Proposed Zoning Resolution Amendments to ~
One Lot, One Building 100-5.6
Title change to One Lot, Main or Principal Building
and add an “s” to customary accessory buildings

- Joe Kahl made a motion to propose the amendment to the above language, a 2nd was heard from Sally Wylie.
~ Roll Call: Walt Lange - yes, Joe Kahl - yes, Sally Wylie - yes, Jim McConkey - yes,
Bob Westmark - absent

❖ Proposed Amendment #3:

Proposed Zoning Resolution Amendments to ~
Principal Permitted Uses 100-8.2 Ponds Area and Design Requirements
Additions to the text and re-letter current items:

- a. A site plan stamped by a professional engineer registered in the State of Ohio shall be submitted with the pond permit application.
- i. The contractor is responsible for proper traffic control at the site and shall keep all pavement surfaces clean and free of mud and debris.
- Joe Kahl made a motion to propose the amendment to the above language, a 2nd was heard from Jim McConkey.
~ Roll Call: Walt Lange - yes, Joe Kahl - yes, Sally Wylie - yes, Jim McConkey - yes,
Bob Westmark - absent
- j. Ornamental and water gardens not exceeding two hundred (200) square feet and three (3) feet deep shall not be regulated under this Article..
- Joe Kahl made a motion to propose the amendment to the above language, a 2nd was heard from Sally Wylie.
~ Roll Call: Walt Lange - yes, Joe Kahl - yes, Sally Wylie - yes, Jim McConkey - yes,
Bob Westmark - absent

The insertion of application fees and forms into the Zoning Resolution were discussed. The Board suggested posting the fee schedule in the township. The application forms are not necessary in the Resolution books.

- Sally Wylie made a motion to adjourn, 2nd by Joe Kahl

The above suggested amendments will be presented to the Board of Trustees at their Regular Meeting on June 1, 2009.

Meeting Adjourned: 7:20 p.m.

Zoning Board Approval of Minutes:

Walter Lange, Chairman

Joe Kahl, Vice Chairman

Sally Wylie

Jim McConkey

Bob Westmark