

**PRAIRIE TOWNSHIP ZONING COMMISSION
MINUTES OF THE JUNE 27, 2006 MEETING**

Members Present: Bruce Whyte, Howard Balzer, Glen Hymer, Bill Rowe and Christopher Finn

Members Absent: Judy Stalter

Others Present: Connie Swisher, Zoning Inspector and Dana Scott, Zoning Clerk

Call to Order: The meeting was called to order by Howard Balzer, Chairman, at 7:00 p.m.

Meeting Minutes:

Mr. Bill Rowe moved to approve the May 23, 2006 Zoning Commission Meeting Minutes. Mr. Bruce Whyte seconded the motion. The minutes were unanimously approved, roll call as follows:

Bruce Whyte: Aye
Howard Balzer: Aye
Glen Hymer: Aye
Bill Rowe: Aye
Christopher Finn: Aye

Mr. Bill Rowe moved to approve the May 30, 2006 Zoning Commission Special Meeting Minutes. Mr. Glen Hymer seconded the motion. The minutes were unanimously approved, roll call as follows:

Bruce Whyte: Aye
Howard Balzer: Aye
Glen Hymer: Aye
Bill Rowe: Aye
Christopher Finn: Aye

New Business: Application 174-RZ-06 Zoning Resolution Amendments

Mr. Howard Balzer, Chairman asked that all those wishing to give testimony, please stand and be sworn in.

Ms. Swisher, Zoning Inspector presented Application No. 174-RZ-06 with a slide show presentation and explained the purpose of the meeting tonight was to forward a recommendation on the Commercial Vehicle Parking Requirements and a new revised Commercial Vehicle Definition to the Prairie Township Board of Trustees for consideration. Ms. Swisher presented the proposed amendments to Section 1015 as written and explained the new revision would omit 1015 No. 5 entirely. The words "Commercial Vehicle" would be added to 1015 No. 3 and No. 4. This amendment if adopted will allow commercial vehicles to be parked inside structures in residential districts. The following sentence would be added to No. 3 " unless a Conditional Use is granted pursuant to the criteria stated in No. 4." This would give residents an option of parking commercial vehicles outside in residential districts if a Conditional Use permit was granted by the Board of Zoning Appeals.

Ms. Swisher then presented the three proposed definitions of a commercial vehicle to the Board. For the purpose of the meeting the definitions were labeled A, B, and C. After several months of review definitions A & B were drafted by the Zoning Commission. Definition C was drafted and being recommended by Mr. Rob Williams Asst. Prosecuting Attorney. (all are attached and made part of the record)

Ms. Swisher explained the difference between the current code and the proposed changes.

Ms. Swisher then asked if there were any questions from the audience. A resident in Lincoln Village North asked Ms. Swisher why are there trucks/cars being parked on the street and not in people's driveway? Ms. Swisher explained to the resident that legally licensed vehicles are permitted to park on the street unless the street is marked "No Parking".

Resident John Bailey asked about work trucks with ladders and tools that people bring home each day? Ms. Swisher explained most residents who have vehicles with tools or ladders that did not receive any notification from the Zoning Office under the current code would most likely not receive any notification under the new revised. With the proposed change residents who have larger work trucks or exposed tools would be permitted to put them inside a garage. Additionally, residents would have the ability to apply for a Conditional Use and request the vehicle be parked outside.

Resident Dick Whitman asked if his truck would be in violation. Ms. Swisher explained how the current code reads and asked if the vehicle was ever cited. If it was not large or exposing a lot of tools or equipment it should not be considered commercial. If a business was being conducted from the home that could be a whole other issue all together. With this revision commercial trucks would be permitted to be parked inside your garage it does not allow a business to be conducted from a home without a home occupation permit.

Resident Lee Shoaf asked if snow plows and salt on pick-up trucks in the winter would be in violation. Ms. Swisher explained the only snow plow cited by the Zoning Office was one that was taken off of a pick-up truck in Westpoint and left on the street.

A short discussion followed regarding the difference between people running businesses from homes in residential districts and residents who own work vehicles they drive back and forth to work.

Chairman Howard Balzer asked for anyone wanting to speak in favor of the application.

Mr. Rowe asked members of the audience to tell the Board which definition was preferred.

Resident John Bailey expressed to the board that definition "C" looks like it had a wider scope and would work better than the old definition. Several members of the audience concurred.

Chairman Howard Balzer asked for anyone wanting to speak opposing the application.

Mr. Rowe expressed that definition C basically was a condensed version of definition B. He explained the definitions both say the same thing but with fewer words.

Motion by Mr. Bill Rowe, seconded by Mr. Christopher Finn to recommend approval of the amendment proposed to the Prairie Township Zoning Resolution in Zoning Case No. 174-RZ-06 which amendment consists of textual revisions proposed to be made to Section 210, proposed definition (C) to read "Commercial Vehicle: any vehicle used for business or commercial purposes, except that no vehicle that is also used for personal purposes and is licensed for regular use on public roads shall be considered a commercial vehicle under this definition unless the vehicle also satisfies any one or more of the following: (1) it has a gross vehicle weight registration greater than 14,000 pounds; (2) it has an overall length of greater than twenty-four (24) feet; or (3) it has openly visible equipment, tools, machinery or materials, products or supplies used in a business or commercial venture." And the proposed changes to Section 1015 revising the last sentence in No. 3 to read "Conditional Use" in place of "Variance". All to be attached and made part of this record. This recommendation is to be forwarded to the Prairie Township Board of Trustees for consideration, pursuant to Ohio Revised Code Section 519.12. The motion was unanimously approved, with roll call as follows:

Bruce Whyte: Aye
Howard Balzer: Aye
Glen Hymer: Aye
Bill Rowe: Aye
Christopher Finn: Aye

A brief discussion followed regarding changing the time of all regularly scheduled Zoning Commission meetings from 3:00 p.m. to 4:00 p.m.

Mr. Glen Hymer made a motion to accept the new time of 4:00 p.m. Mr. Howard Balzer seconded the motion. The motion was unanimously approved with roll call as follows:

Bruce Whyte: Aye
Howard Balzer: Aye
Glen Hymer: Aye
Bill Rowe: Aye
Christopher Finn: Aye

Old Business: None

Announcements: ***The Zoning Department will be sending the Conservation Districts to the Board Members in a packet along with next months meeting agenda.***

Next Meeting: ***Next meeting will be on July 25, 2006 at 4:00 p.m. (new time)***

Adjournment: The meeting was adjourned at 7:46 p.m. by Mr. Howard Balzer, Chairman.

Submitted by: Dana Scott, Zoning Clerk