

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF JULY 22, 2008 MEETING**

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**Members Present:** Howard Balzer, Christopher Finn, Glen Hymer, Hulda Moffitt, and Judy Stalter

**Members Absent:** None

**Others Present:** Dana Scott, Zoning Clerk; Pam Williams, Township Resident

**Call to Order:** The meeting was called to order by Howard Balzer, Chairman, at 3:00 p.m.

**Meeting Minutes:**

Mr. Balzer asked for a motion to approve or correct the June 24, 2008 Prairie Township Zoning Commission Meeting Minutes.

As there were no corrections, Mr. Finn moved to approve the June 24, 2008 Zoning Commission Minutes as written. Ms. Stalter seconded the motion.

Roll call as follows:

1. Christopher Finn     Aye
2. Glen Hymer         Aye
3. Hulda Moffitt       Aye
4. Judy Stalter        Aye
5. Howard Balzer      Aye

The motion was approved unanimously.

**Old Business:**

Meeting with Attorney on Proposed Changes to Zoning Code

Ms. Scott said that Connie Swisher, Zoning Inspector, will be meeting with Donald Brosius, attorney, on Tuesday, July 29, 2008, to go over the proposed changes to the Township zoning code that the Commission and she discussed several months ago. Ms. Swisher anticipates receiving a response from Mr. Brosius in the near future.

Community Concerns and Comments

Mr. Balzer extended his appreciation to Ms. Scott for the Township's timely response and effective follow-up on several matters in his neighborhood that he recently brought to the attention of the Zoning Office. He mentioned a third party involved in a property, which the people do not care about, setting bonfires that were dangerous and annoying neighbors; uncut grass and brush on a property at the corner of Alkire & Alkire Road; and the old, deteriorating brick building across from Bolton Field, which is being razed today.

Mr. Hymer stated that he too is pleased with the Zoning Office's quick response following his report about a house on Norton Road whose occupants were throwing their trash outside. Following the Township's intervention, the property was cleaned up and looks better.

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF JULY 22, 2008 MEETING**

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On the subject of neighborhood eyesores, Ms. Stalter requested that Ms. Scott include the house at 371 Lennox Avenue on the list of nuisances. Ms. Stalter said that the grass needs to be cut. She remarked that the house is in such bad condition it probably should be torn down.

Ms. Scott reminded Commission members that before the Township can take action to have grass cut, it has to be at least 12 inches high. She explained that the cost of the mowing becomes an assessment which is added to the owner's property tax.

Mr. Finn reported that there was a downed tree located between Papa John's Pizza, 4060 West Broad Street, and the Lincoln Lodge Retirement Residence, 4950 West Broad Street. Ms. Scott said that she would initiate action to have it removed.

Ms. Moffitt extended her appreciation to the Township Roads/Cemeteries/Parks Department, headed by Dave McAninch, for its excellent care of Carl Frye Park in Lincoln Village. The blacktop walking path and children's playground are well maintained, the grass is regularly cut, and storm-damaged tree limbs are quickly cut down and removed. She also observed the addition of "doggie bag" dispensing stations at park entrances that bear the request to "clean up behind your dog."

**New Business:**

WestPoint Subdivision: Amend Section 1005 of the Zoning Code

Ms. Scott said that a representative from the WestPoint Homeowners Association had approached staff and asked if she could attend the meeting and discuss with the Zoning Commission the possibility of amending Section 1005, Private Swimming Pools, of the Township Zoning Resolution, so as to require fencing around above ground swimming pools.<sup>1</sup>

In her conversation with Ms. Scott about amending Section 1005, the WestPoint representative said that the subdivision's deed restrictions included a fence requirement for above ground swimming pools, but the fence requirement had never been enforced. Ms. Scott suggested that as a first step the Homeowners Association consider enforcing the subdivision's existing deed restriction. However, Ms. Scott invited the representative to the July 22<sup>nd</sup> meeting of the Zoning Commission and placed her appearance on the agenda.

The WestPoint representative was not present at the meeting. Nevertheless, Ms. Scott asked Commission members to express their thoughts about amending Section 1005.

Mr. Finn pointed out that the zoning code already requires that moveable stairs or ladders in above ground pools be secured or removed when pools are not in use.

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<sup>1</sup> In Section 1005, above ground swimming pools are not required to comply with the fence requirements for inground pools.

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF JULY 22, 2008 MEETING**

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After a short discussion, the Commission decided by consensus that the WestPoint Homeowners Association should be pro-active about enforcing its deed restriction that requires a fence to be around private above ground swimming pools. Since the Township zoning code does not prohibit such a fence, the HOA can lawfully require it. Amending Section 1005 of the Zoning Resolution would be a remedy that goes beyond that needed to resolve an issue which appears to be a code change desired solely by the WestPoint subdivision.

**Next Meeting:**

Mr. Balzer announced that the next meeting of the Prairie Township Zoning Commission would be Tuesday, August 26, 2008, at 3:00 p.m. at the Township Hall, 23 Maple Drive.

There being no further business, Mr. Balzer adjourned the meeting at 3:30 p.m.

Respectfully submitted,

Hulda Moffitt, Secretary  
Prairie Township Zoning Commission

