

**Hiram Township Zoning Board
October 3, 2018**

Board Members: Chairman, Jim Pochedly, Clyde Faust, and Tim Kasper.

Public Present: Zoning Inspector Rich Gano.

The meeting was called to order at 7:09 p.m.

Secretary, Eric Hankinson stated that a legal notice for the meeting was published on September 23, 2018.

The Zoning Board reviewed the minutes from the previous meeting.

Mr. Faust made a motion to approve the minutes, Mr. Pochedly seconded.

Roll Call Vote on the Motion:

Clyde Faust: Yes
Jim Pochedly: Yes
Tim Kasper: Yes

Discussion around item #1 from the previous meeting:

- 1) The tightening of some of the Zoning Code that would change the word “may” to “shall” in order to be more explicit with the intent of the Code

The Board then quickly discussed item #4 from the previous meeting:

- 4) 85ft setback from Road Right of Way for all buildings on the property, not just primary dwellings

The Board decided to not pursue item #4 as a recommendation for Amendment to the Township Zoning Code.

The Board then returned to the proposed change to the Township Zoning Regulation below.

Amendment 1

Section 203-5 General Regulation of Structures and Construction

G. Accessory Buildings in All Districts

1. One accessory building incidental to the principal use and which does not include any activity conducted as business ***shall*** be erected or constructed in rear yard area providing the side yard width of thirty (30) feet and rear yard depth of fifty (50) feet is observed, and is not nearer the dwelling than twenty (20) feet. Maximum height of twenty-five (25) feet.

Motion to change wording “may” to “shall” in the accessory building zoning code by Mr. Pochedly, seconded by Mr. Faust.

Roll Call Vote on the Motion:

Clyde Faust: Yes
Jim Pochedly: Yes
Tim Kasper: Yes

The Board then moved onto Item #2 from the previous meeting:

- 2) Doubling application fee when applying for a Variance if they have already begun construction without a permit

After some discussion, this item was tabled and left up to the Township Trustees to modify the Fee Schedule at a future Township Trustee meeting.

The Board then moved onto Item #9 from the previous meeting:

- 9) Carport – whether or not it is an accessory building

Further discussion around permitting carports and whether or not that is necessary. Currently Portage County has some wording about carports that may be used as a basis of the Township’s code. Further discussion was tabled until Mr. Gano comes back to the Zoning Board with more research.

The Board then moved onto Item #8 from the previous meeting:

- 8) Zoning Code section about fencing is missing that a permit is required in order to construct a fence

The Board had a discussion about the feasibility of enforcing the height of fences on a property. Mr. Pochedly noted that “fences do not grow, but arborvitae do” in relation to the different maximum heights of fences depending on their location in the yard versus hedges. It was noted that a neighbor would have to complain before any action were to be taken.

When building fences on properties within the Township, a permit is required and the code will be updated to reflect this. A motion to add the sentence “Permit required.” to the end of the Zoning Code specifically when building a fence (not a hedge row).

Amendment 2

Section 203-5 General Regulation of Structures and Construction

F. Fences and Walls

Fences and walls may be permitted in any required yard; or along the edge of any yard, provided that no fence or wall along the sides or front edge of any yard shall be over four (4) feet in height. Fences and walls may be permitted along the side or rear lot lines to a height of not more than six (6) feet above the natural grade, provide at least five (5) percent of the vertical surface of any fence or wall, shall be open to air, light and drainage. Any fence or wall shall be maintained. ***A permit is required.***

Motion to amend this change by Mr. Faust, seconded by Mr. Kasper.

Roll Call Vote on the Motion:

Clyde Faust: Yes
Jim Pochedly: Yes
Tim Kasper: Yes

The Board then moved onto Item #7 from the previous meeting:

7) Wedding Barns – seeking agricultural exemptions when they are clearly commercial operations, regulating them as commercial properties, the idea of “agri-tourism”

Some further discussion with Mr. Gano about the Wedding Barns, and how this comes about as a part of the emerging Agri-Tourism trend. The issue is that an agricultural building / pole building is built for agricultural regulations. Repurposing the barn as a commercial property that requires safety and other inspections that may not be done. Mr. Gano stated that he was going to do some further research on how other parts of Ohio are handling this and get back to the Zoning Board. The Board then tabled this item for future discussion.

The Board then moved onto Item #6 from the previous meeting:

6) Retail Sales in the Township – Bakery with auto traffic, Greenhouse that resold other stock, etc.

The Board discussed retail sales in the Township. After further discussion from the Board, research around how this can be deduced to know how much of what was sold was grown on the property and how this can be enforced by Mr. Gano would be needed. The Board then tabled this item for future discussion.

The Board then moved onto Item #5 from the previous meeting:

5) Driveways – construction guidelines for fire, ems & safety ingress/egress

Regarding Driveway construction guidelines, there was some discussion at the previous meeting about this. The Board & Mr. Gano discussed the situation as there is no regulations at all regarding this in the Township Zoning Code. Mr. Gano will follow up with some other townships in the area to get their input on any zoning code that they may have on the subject that can be used as a basis for Hiram Township’s creation of some driveway construction guidelines. The Board then tabled this item for future discussion.

A motion to adjourn the meeting by Mr. Pochedly, seconded by Mr. Faust

Roll Call Vote on the Motion:

Clyde Faust: Yes
Jim Pochedly: Yes
Tim Kasper: Yes

The meeting is adjourned at 8:08pm.