

RECORD OF PROCEEDINGS
Danbury Township Zoning Commission

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

20

September 5,

18

The Danbury Township Zoning Commission was called to order at 6:30 p.m. at the Danbury Township Meeting Room by Chair, Jodi Kopanski. The pledge of allegiance was recited and the roll call showed the following present: Ms. Jodi Kopanski, Mr. Richard Kracer, Mr. Michael Brown, Mr. Robert Strauss, Mr. Vito Kaminskas, Alternate Jack McGrew and Alternate Susan Dress. Also present were Kathryn Dale, Zoning and Planning Administrator. No Visitors were present.

Approval of the August 1, 2018 Minutes

Mr. Brown asked for one correct on page 2 to refer to depreciation. Ms. Dale stated that since she did not have the minutes printed on the official book record pages, she could make that correction. Mr. Kracer made a motion to approve the minutes as corrected for the August 1, 2018 meeting. Mr. Strauss seconded the motion. All Ayes. The motion carried. Minute pages will be signed in September.

Public Hearing

There was none.

Old Business

There was none.

New Business

Ms. Dale stated the only item on the agenda is to have a continued worksession to discuss potential changes to the Section 7.9 Nonconformities. She asked them to turn to the last page of the handout they received, specifically the changes to Section 7.9.3.C & D. She shared that she replaced the term "Reproduction Value" with "Floor Area" as they had discussed last month. She stated that as a result of their discussions last month, she felt the definition to "Floor Area" also had to be reviewed, so she asked that they turn next to the Definitions and look at Definition #70.

Mr. Brown asked that before they move onto definitions, that he shared with Lakeside's Historic Preservation Design Review Board the proposed language to Section 7.9.3, new item B and they are very supportive of the proposed language. He did ask though if a clarification sentence could be added that a property owner could indeed lift their structure straight up, in place, for a foundation replacement or repair and set it right back down in the same location without being in violation of this section. Ms. Dale stated that language could be added.

The Commission moved on to reviewing the definition modifications. Ms. Dale read the proposed definition for "Floor Area". Mr. Brown stated he did not feel finished basements should be included as part of the square footage calculation because basements are not typically included in appraisals. There was discussion about what zoning may consider and what an appraisal may consider can be different. Discussion then focused on why space such as porches and attached garages were included in the calculation. Mr. Brown expressed concern that by adding the square footage of a basement of a house, it could provide someone enough square footage and still replace an entire house, the portion above-ground, never complying with the intent of the 75%. Consensus of the Commission was to remove basements from the floor area calculation.

Ms. Dale stated that since they were covering how floor area is calculated, that the term "Building Footprint" is also frequently used, but it is not defined. She shared with them a proposed new definition for this which then required a minor tweak to "Lot Coverage". The Commission had no objections to these proposal since it helped clarify.

Finally, Ms. Dale shared she could not recall if they discussed the nonconforming sign language last month, but that that language also referred to 75% "Reproduction Value". She shared her frustration that there have been numerous signs over the years that have completely fallen over because the support posts snapped. She said the signs end up going back up in the same location even though the setback is not met. Ms. Dale stated she is not opposed to them reusing the face of the sign if it is not damaged, but the posts should be replaced so the sign is in compliance with the setbacks. Ms. Kopanski commented that when they re-did the sign chapter in 2012-2013, the goal was that nonconforming signs would eventually come into compliance. Ms. Dale agreed and said that is why she is proposing language that is more specific to the sign structure and the sign's square footage. Ms. Dress suggested using the term "sign area" instead of "square footage" since it is defined how that is calculated in Section 5.5.3.B.v.

There being no further discussion or corrections, Mr. Brown made a motion to initiate the text amendments as modified this evening. Mr. Kracer seconded the motion. All Ayes. The motion carried.

Other Business

There was none.

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Reports and Communications from Members and Staff

Mr. Kracer asked if anything can be done with the dilapidated boat at Cap's Cabins on E. Bayshore Road. Ms. Dale stated that a complaint would have to be filed by someone within 500' of the property. She said if a complaint is received, she would have to see if it qualifies as a structure, which she doubts, so it would likely have to be pursued as a junk & debris nuisance.

Public Comments Regarding Zoning Items Not on the Agenda.

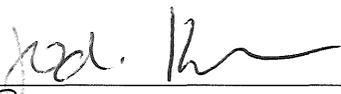
There was none.

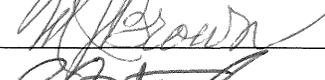
Adjournment

The Chair asked for a motion to adjourn. Mr. Strauss moved to adjourn the meeting and Mr. Kaminskas seconded the motion. All Ayes. The motion carried.

The meeting was adjourned at 7:22 p.m.


RECORDING SECRETARY






ZONING COMMISSION