

## **Brown Township Zoning Commission**

**Brown Township Hall**

**5555 State Route 521**

**Delaware, Ohio 43015**

DRAFT Meeting Minutes October 3, 2024

### **Attendees**

Ian Capwell, BTZC Member

Aaron Heydinger, BTZC Member

Jeremy Williams, BTZC Member

Stan Bean, Alternate

Marc Gaskell, Alternate

Steve Serio, Zoning Inspector

Vickie Sheets, Zoning Secretary

Charlie Miley, Brown Township Trustee

Jodi Schermerhorn, 5499 State Rt. 521, Delaware

Nate Samblanet, 8299 Linton Blvd., Columbus 43235

Shane Kehler, 5499 State Rt. 521, Delaware

### **Call to Order**

In the absence of the Chair and Vice-chair, the meeting was called to order by BT member Ian Capwell at 7:00 pm.

### **Pledge of Allegiance**

Attendees recited the Pledge of Allegiance.

### **Changes to Agenda**

Mr. Capwell the attendees about their interest in the meeting. Ms. Shermerhorn said that a tree branch had fallen on their shed and they were interested in how best to replace it. Mr. Serio indicated he had suggested they start with their insurance but they did not wish to submit a claim. He laid out options, to restore by fixing it; by rebuilding using the same footprint to replace the shed; or to move the location and rebuild. The project would require a permit and if moved or enlarged, would need to meet the current zoning requirements and they would need to apply for a variance (due to the lot size). Mr. Miley suggested that one wall be retained and incorporated in the new shed. She thanked for the information and was considering using the current footprint for a replaced shed.

Mr. Samblanet is looking for a house in Brown Township and is interested in adding an outdoor fire burning furnace. This would be considered an auxiliary

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structure requiring a permit application, including a diagram. Mr. Heydinger said that a mortgage survey would provide the information needed for a permit application. Mr. Serio advised not to file for a permit until the house is in his name.

### **Approval of Minutes**

Approval of the August minutes was deferred as additional attending members were needed for the vote. The September minutes were deferred to allow the addition of information.

### **Regional Planning Meeting Attendance**

Mr. Serio attended Regional Planning in September and plans to attend in October.

### **Zoning Inspector Report**

Mr. Serio issued six permits in September for a total of \$960. The BZA approved two variance applications. A nuisance complaint on a Pittman Road property was referred to the Health Department which sent a letter to the property owner. The process for such complaints was briefly discussed. A letter from the Zoning Inspector followed by a letter from the County Prosecutor are sent. If the property owner does not comply within 30 days, the township can implement a clean-up, the cost of which is added to the property owner's assessed property tax.

### **New Business**

Trustee Charlie Miley reported that the Tri-Township Fire District Board had approved guidelines for Dry Hydrants that address materials, installation, Fire Department Access Roads, inspection and maintenance. Townships are asked to include voluntary placement of these devices in ponds where there are no hydrants accessible. This is an important safety strategy. It was suggested that Article 21.05 might be an appropriate site for placement of this new language in the Zoning Resolution.

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### **Old Business**

Members had been discussing Airbnbs and Article 14 at the September meeting. Ms. Sheets had reviewed the Delaware County townships and found none had language regarding Airbnbs. Mr. Serio had looked at several Morrow County townships and reported he found no language pertaining to Airbnbs. Mr. Serio said he was aware of another state that allowed three month rentals of Airbnbs up to three times a year, often in a resort area.

Mr. Capwell thanked Mr. Heydinger for providing information from Canton Township, Stark County about *short term rentals*. While the more generic term would apply to Airbnbs, the information was more geared toward the short term rental of houses. Mr. Capwell said work on Airbnbs would be a longer term project, needing more research. Mr. Williams observed that noise and other issues would be factors to consider. Mr. Gaskell said owners would need to determine specifics, such as allowing smoking or pets. Mr. Heydinger noted that nuisance rules in general would apply and a permit process included. Mr. Capwell would like to see interest from additional people and recommended that the topic be tabled for now so that the BTZC could focus on revising Article 14.

The members returned to Article 14 in the Resolution review. Ms. Sheets said that in reviewing the various township language, there were half using the NAICS Codes and half using generic language in commercial permitted uses. She had sent out language from Genoa Township that had been referenced at the last meeting. Mr. Heydinger had provided language from Berkshire Township, where NAICS codes are used. He asked about the goals of the revision. Mr. Capwell noted concerns Mr. Rinehart had raised regarding using digits implicating broader uses than intended and the challenge of keeping the codes updated. Mr. Capwell would like to make text easier to understand, Mr. Bean hopes to cut down the size of the content, and Mr. Williams was concerned about specificity and how prescriptive. Mr. Capwell doesn't want to burden the property member too much and is conscious of cost. Permitted uses specified and variations could be approved with the development plan.

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It was determined that members should review the current Brown Zoning Resolution Article 14, noting the code categories that they believe should be retained. Mr. Heydinger offered to provide Ms. Sheets with an Excel document that could facilitate this review.

Mr. Heydinger described to the members the work Orange Township has been doing with Regional Planning to create a *Planned Unit Development* and asked how BTZC had worked with Regional Planning regarding Zoning Resolution revision. Ms. Sheets stated that when she began as Zoning Secretary, the Zoning Resolution was difficult to use, with little formatting. Regional Planning has been instrumental in improving the format, such as improving the table of contents, and adding footers that reflect the article. Basically, the BTZC supplies the content and wording and Regional Planning assists with formatting. Mr. Sander has come to consult with the BTZC on specific topics.

Mr. Heydinger would like to speak with Mr. Sander about the Orange Township project, which has taken about a year and is accessible on the Regional Planning Website. As a new member, he was not sure how to approach. Ms. Sheets will call Mr. Sander and ask if he would speak with Mr. Heydinger about how they can assist and specifically regarding the Orange Township project.

## **Adjournment**

Mr. Williams moved to adjourn the meeting and Mr. Bean seconded. Motion passed and Mr. Capwell adjourned the meeting at 8:15pm.

Vickie Sheets  
Brown Township Zoning Secretary

Ian Capwell  
BTZC Member