

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting

Held January 8, 2026

The Brown Township Trustees and Zoning Commission (BTZC) met in a joint meeting on this date at 7:00 PM in regular form with Trustees Skinner and Fleming, Fiscal Officer Barrett, Zoning Inspector Serio, Zoning Secretary Sheets, and BTZC Members Williams, Vanderhoff, Gaskell, Capwell, Creedon, Heydinger, and Bean.

BTZC Chair Vanderhoff called the meeting to order and lead the Pledge of Allegiance.

BTZC organized for 2026 by electing Kyle Vanderhoff as to continue as the Chair; Mr. Heydinger made the first motion; Mr. Williams made the 2nd motion; motion passed.

The BTZC Vice-Chair for 2026 will continue to be Jeremy Williams; Mr. Vanderhoff made the first motion; Mr. Heydinger made the second motion; motion passed.

Zoning member Creedon made the motion to approve the meeting minutes for December 4, 2025; Mr. Gaskell seconded; motion passed.

BTZC Chairman Vanderhoff moved to keep the zoning meeting the first Thursday of the month; Mr. Gaskell seconded the motion; motion passed.

The Trustee's, BTZC members/staff and fiscal officer made introductions to each other.

Mr. Vanderhoff explained that common sense updates were applied to the Brown Township Zoning Resolution in 2025. The board is currently addressing future property development and looking at developing language for Zoning Overlays, a zoning tool where existing zoning district regulations continue while offering an *overlay* (also referred to as a *cloud*) of zoning. Landowners can choose to comply with either the existing rules or with the rules set forth in the overlay.

An ongoing concern of townships is the potential loss of territory by annexation to a city. Contingent land can be annexed to a city when a property owner believes there to be advantages to be governed by the city, e.g., to be able to access services, such as utilities, provided by a city and not available with the township. A township zoning overlay offers potential future development opportunities for the property owner without annexation.

The goal is to keep the agricultural feel of the township but also to be prepared for future development and possible annexation. A residential/mixed use needs to be looked at so Brown Township does not lose revenue. The BTZC members are thinking a natural barrier would be the railroad underpass. The properties at Route 521 and Bixby would be a residential overlay. Mixed use overlay is being considered for Route 36/37 where development is anticipated. It is possible some of that area will be commercial, which would also increase the Township's tax base. The board has been leveraging Harlem Township language with adjustments for Brown Township needs. The BTZC is anticipating this new overlay language will take around six months to develop. It was reminded that the zoning commission presents recommendations that still need Brown Township Trustee approval before being enacted. Trustee Skinner expressed that some areas along Route 42 may need to be additional considerations for future overlays.

The new Delaware County Sewer plant will be going in near Alum Creek in Berlin Township. It is currently on hold based upon the Army Corp of Engineer's concerns regarding the plan.

It was asked if overlays could help the ODOT's proposal for a connector from Route 23 to Route 71. Brown Township cannot plan for this until they decide if any of the township is in the route. However, overlays would not be relevant. Regional Planning will be consulted on developing overlays and communicating those concepts to property

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owners. Following the accepted process, there will also be detailed public hearings regarding any overlay language added to the Zoning Resolution.

The Zoning Resolution landscaping rules will be reviewed in the future and updated to make sure all new developments maintain a rural feel. Other Resolution topics still under review include administrative process and definitions.

Trustee Skinner brought up the issue of a noise ordinance. She had consulted with the Prosecuting Attorney who indicated if a noise ordinance would go into effect it would open up all avenues for lawsuits. For example, a neighbor could sue another neighbor for a dog barking, too loud of music, etc. A noise ordinance is based on how many decibels of sound, and it cannot be too far from what the county already has. These ordinances are difficult to enforce.

Trustee Skinner brought up the zoning fees and each fee was reviewed. There was a question regarding the Commercial or Industrial new Building. On the fee sheet there are no details regarding the building size. It is stated in the Zoning Resolution that a building can occupy no more than 70% of a tract and must adhere to the required setbacks. The BTZC will look further into the language and costs. A borrow pit was questioned, does this include a pond? Mr. Gaskell will look into updating the language of a borrow pit and review the stipulations for water in the zoning regulations. Some additional wording was updated to make it more clear to residents. The zoning resolution book was removed totally from the fees.

Fiscal Officer Barrett brought up a question about the property on Kelly McMaster where there has been a driveway, gate, mailbox, flag and camper on the property for around two years. Trustee Skinner stated there is a property at 2376 State Route 37 with a lot of vehicles. There is another property on Kelly McMaster that a blown down tent has been in the yard since early September. Zoning Inspector Serio will review these properties.

The legal actions that Brown Township can use to enforce zoning issues are to submit letters to the property owner, contact the Prosecutor's Office, and contact the Delaware County Health Department. The Health Department seems to get resolution faster than Brown Township as the township would have to take them to court.

The BTZC asked if they could get a microphone(s) and/or video to take meeting minutes, for the normal meetings and routine hearings. Trustee Skinner asked someone to research this and present a proposal to the Trustees for approval.

The zoning commission asked about a township website. The website that is ran by the County sometimes has incorrect information and often needs updating. Trustee Skinner stated we are looking into getting an OTA website. She will ask if the website comes with firewalls. It was also suggested that the website be able to accept credit card payments for fees. Fiscal Officer Barrett will speak with the bank to see how this would work.

The zoning comprehensive plan was last updated in 2019. Developing overlay language is consistent with the current plan and is the main focus for the zoning commission at this time. Updating the zoning comprehensive plan will be a future project.

Trustee Miley used to handle Brown Township driveway culvert permits as a courtesy to our residents. The County will take care of this through the engineer's office at a charge of \$60 for residential and \$200 for commercial. The process once all information is

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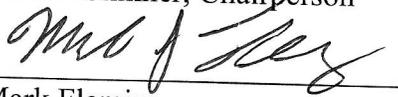
received takes an average of one to two weeks. There is a \$60 reinspection charge if the county would have to go back out. It was decided that this will be turned over to the county in the future.

Zoning Inspector Serio reported that 3 permits were issued; the one with the County is for them to build an office at the Dog Pound on County Home Road. Mr. Serio will be out of the office on Vacation from January 18th – February 12th.

Zoning Member Capwell made a motion to adjourn the meeting. Zoning Member Williams seconded. Motion passed. Meeting adjourned at 8:37 pm.


Heather Barrett, Fiscal Officer Assistant


Connie Skinner, Chairperson


Mark Fleming

Brown Township Zoning Fees

Construction without permit= DOUBLE the Permit Fee

Single Family Residence with Attached Garage -----	\$600*
Apartment Building Per Unit-----	\$300*
Multi Family and Townhouse Per Unit-----	\$500*
Garage (Any size) -----	\$150
Carport-----	\$100
Carport limited to one per property and fall under maximum lot coverage (See Footnote).	
Accessory Structure under 1000 sq. ft. (Shed, Small Building, Deck, Etc.) -----	\$150*
Accessory Structure over 1000 sq. ft. (Shed, Small Building, Deck, Etc.) -----	\$300*
Relocation of Existing Structure -----	\$50*
Fence with or without a driveway gate-----	\$150*
Swimming Pools -----	\$100*
Pools under 8 ft. diameter and less than 18 in deep do not need permit.	
Solar Panels -----	\$200*
On ground solar arrays fall under maximum lot coverage (See Footnote).	
Commercial or Industrial New Building-----	\$650*
Each additional 100 Sq. Ft.-----	\$5
Metal/Shipping Container-----	\$200*
Borrow Pit-----	\$10,000
Converting 1 Family Residence to 2 or more Family with Outside Structure Change-----	\$500*
Remodeling Dwelling, Garage or Accessory Structure with Outside Structure Change-----	\$250*
Temporary Tool and Supply Trailer or Structure initial 6 months -----	\$200
Renewal additional 6 months a maximum of 2 consecutive renewals within a 24-month period from the date of the first issued permit-----	\$200

Temporary Mobile Home initial 6 months -----	\$200
Renewal additional 6 months a maximum of 2 consecutive renewals within a 24-month period from the date of the first issued permit -----	\$200
Sign Permanent-----	\$300
Sign Temporary-----	\$150
Short-term Rental Application Fee-----	\$500
Short-term Rental Annual Renewal Fee -----	\$200
Rezoning-----	\$1,000
Variance-----	\$750
Appeal-----	\$1,000
Conditional Use Hearing-----	\$1,000
Fee for Approval Plots and Subdivisions Referral to DCRPC-----	\$ N/C
Agricultural Exempt Permit-----	\$ N/C

* Includes Certificate of Compliance

Brown Township Zoning Resolution Section 7.05 H. Maximum Lot Coverage: On no lot or parcel in this zoning districts shall buildings be constructed which cover more that twenty-five (25) percent of the lot area.

Construction Without Obtaining Permit = DOUBLE The Permit Cost

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