

**KINGSTON TOWNSHIP ZONING COMMISSION
MEETING MINUTES**

APPROVED: May 19, 2010

DATE: April 21, 2010
LOCATION: Kingston Township Hall
TIME CALLED TO ORDER: 7:03 PM by Chairman Filbert

MEMBERS PRESENT:	(CHECK ONE)		
GROVE	YES	X	NO
STEINHOFF	YES	X	NO
FINK	YES	X	NO
DEAVERS	YES	X	NO
FILBERT	YES	X	NO
GIFFIN	YES	X	NO
TALBOTT	YES	X	NO
STITES	YES	X	NO

PUBLIC INPUT/COMMENT: None Present

APPROVAL OF MINUTES:

Chairperson Filbert asked members if they had any comments or corrections regarding the March 17, 2010 Meeting Minutes. With Members finding no discrepancies, Member Grove made a motion to approve the Meeting Minutes. The motion was seconded by Vice-Chair Steinhoff was unanimously approved. Members extended a warm welcome to new Alternate Member Rick Giffin who previously served as the Alternate of the Kingston Township Board of Zoning Appeal.

OLD BUSINESS:

Delaware County Regional Planning Executive Director Scott Sanders was present to continue discussions regarding the Zoning Resolution Text Amendment process. To begin, Members focused upon open space usage and definitions currently within Article 8-Planned Residence District (PRD). Zoning Inspector Talbott briefed Members on the Restricted, Permanent Open Space requirement that a minimum of 50% of the total site area be designated as public or private restricted, permanent open space found in Section 8.05C. He indicated that in Section 8.06 B-1, permitted uses in restricted, permanent open space include active and passive recreation (active uses including golf courses limited to less than 15%), agricultural uses, fire protection areas, lake/ponds/water supply reservoirs (maximum of 50% of the open space), natural areas, public recreation facilities, sewage management, and stormwater management. After discussion, Members felt that the existing text language was adequate to govern the overall premise of preserving open space within a PRD.

Next, Zoning Inspector Talbott pointed out that within Article 4-Definitions, several open space definitions exist. "Open Space" is defined including language for Common Areas and Natural Areas. Also defined is Open Space, Restricted, Permanent" which governs the open space requirements within the existing PRD. He suggested that the two definitions could lead to

confusion on the part of an applicant considering development of a PRD, and suggested that unless the Open Space definition was needed for another section of the zoning resolution, it should be deleted, leaving the definition consistent with existing PRD language. Upon discussion, Members agreed with the suggestion and asked Executive Director Sanders to review the code for Open Space applicability and remove the definition if not needed. He was also asked to add language to the existing definition linking it to the requirements found in Section 8.06 B-1.

Members then turned their attention to the matter of whether Alternate Members to both the Zoning Commission and the Board of Zoning Appeal should have term limits just as Members. After discussing the matter, Members felt that Alternate Members should have five year term limits, and Executive Director Sanders was asked to implement the change within Articles 24-Zoning Commission and 25-Board of Zoning Appeals.

Members next considered the requirement found in Article 23-Zoning Inspector, Zoning Certificates and Applications, Section 23.02 which states that no structure which exceeds 150 square feet in size shall be located, constructed, reconstructed, enlarged or structurally altered without a Zoning Certificate. The Zoning Office believes that the Delaware County Code Compliance Office requires a Building Permit for anyone constructing a structure that exceeds 200 square feet. The Zoning Office raised this issue and suggested that Members may wish to consider changing the Township requirement to be consistent with the County Code Compliance Office. Upon discussion, Members felt that the township and county should be consistent regarding minimum square foot requirements; however, the Zoning Office was asked to verify the County requirements. Once verified, Executive Director Sanders was asked to change the text in Section 23.02 to match the County requirement, and to put a reference back to Section 23.02 regarding Zoning Certificate requirements in Article 20-General Development Standards. *On April 30, 2010, the Zoning Office contacted the Delaware County Code Compliance Office. Code Compliance advised that no Building Permit is required for a shed or accessory building 200 square feet and under; however, decks, porches and similar structures require a Building Permit regardless of square footage. This matter needs further discussion at the May 19, 2010 Zoning Commission Meeting.*

Attention then turned to Article 8. After discussion, Executive Director Sanders was asked to make the following text amendments:

- Add language to Section 8.03 C inserting “in which the model home is located” after the first word “development” in the third line of the paragraph.
- In Section 8.03 C-2, strike the words “directed by the Board of Zoning Appeals” and replace the text with “designated in the development plan”.
- In Section 8.03 C-4, insert the text in parenthesis “after five (5) years” on the third line to state that (an additional five (5) year may be approved for just cause by the Zoning Office).
- In Section 8.03 C-6, strike the words “directed by the Board of Zoning Appeals” and replace the text with “designated in the development plan”.
- In Section 8.05 I, strike the words “with the subdivision plat and shall be subject to approval in the same matter required of the subdivision plat” and replace the text with “and approved with the development plan”.

- Regarding Signs in Section 8.05 K, Executive Director Sanders was asked to add the definition for Signs when updating Article IV after determining if banner(s) displayed from street light poles or structures should be considered signs.
- In Section 8.05 K-2, strike the words “directed by the Board of Zoning Appeals” and replace the text with “designated in the development plan”.
- In Section 8.05 L, add L-4 requiring roadway curbs and with gutter outlets and catch basins for managing stormwater.
- In Section 8.06 G-3, strike the entire subsection entitled Condominiums.

Members noted that text changes had already been discussed regarding 8.07 H, and concluded final work on Article 8 text amendments.

Based on the length of time taken to discuss the topics listed above, Members agreed to close the text amendment discussions for the evening. Two work products from Executive Director Sanders were distributed to Members which included a permitted and conditional use comparison chart for all commercial districts and recommended changes to Articles 10 through 15. The Kingston Township Zoning Commission will begin meeting discussions on May 19, 2010 starting with Article 10-Neighborhood Office District.

ZONING REPORT:

Zoning Inspector Talbott discussed the March 2010 Zoning Reports to the Trustees *referenced as Item 1*. He informed them that a Variance Hearing has been held the previous night, April 20, 2010, where a Todd Street Road resident had received approval to construct a pole building with a west side yard setback of 19 feet. Talbott noted the upcoming training being offered by the Delaware County Regional Planning Commission on May 15, 2010, and encouraged all members to attend. Zoning Secretary Stites discussed highlights from the March 2010 Regional Planning Meeting including text amendment changes proposed by Porter Township to set up a Critical Resource District along Big Walnut Creek, a major retirement community preliminary plan approved on State Route 315 in Liberty Township and the availability of a publication titled Delaware County Development Trends available at the Zoning Office.

MEDIA ARTICLES:

One informational news articles was distributed including:

- Zoning Commission Roster update adding Rick Giffin as an Alternate Member *referenced as Item 2*.
- Private Property Transfer Fees, The Columbus Dispatch, March 7, 2010 *referenced as Item 3*.
- Canal Winchester Zoning Case, The Columbus Dispatch, March 18, 2010 *referenced as Item 4*.
- Porter Township Public Hearing Notice, The Sunbury News, March 25, 2010 *referenced as Item 5*.

NEW BUSINESS: None

FOLLOW UP ITEMS:

Zoning Office to develop fee language for minor and major changes to approved development plans and present to the Trustees for approval.

ADJOURNMENT:

Member Grove made a motion for adjournment. The motion was seconded by Member Deavers, and was unanimously approved.

TIME: 9:16 PM

SUMBITTED BY:

Recorded and submitted by Dave Stites, Zoning Secretary.

KZC Minutes 04-21-10