

Minutes
Nimishillen Township Board of Zoning Commission
Work Session
4422 Maplegrove NE, Louisville, OH 44641
Wednesday, August 14, 2019 – 7:00 PM

Board Members Present: Regan Starkey, Chairman
Larry Marks, Vice-Chairman
Brent Hunter, Secretary
Herb Klebaum, Member
Rich Linder, Member

Board Members Absent: Glenn Heiller, Alternate

Zoning Inspector: Jeff Shipman

Township Secretary: Shelby Dieffenbaugher

Purpose: Discuss short term rentals (e.g. Airbnb) & revisions to the current Nimishillen Township Zoning Resolution

CALL WORK SESSION TO ORDER:

Chairman Starkey introduced the Board members present, the Zoning Inspector, and the Township Secretary.

Approval of Minutes:

Chairman Starkey stated at the last meeting, he made a motion to approve the minutes; however, it was not seconded by another member. Chairman Starkey stated the Board needs to approve the minutes.

The Board approved the minutes from the following Work Sessions that have already been signed:

- February 20, 2019
- June 5, 2019
- July 17, 2019

REGAN STARKEY MOTIONED TO APPROVE ALL OF THE MINUTES EXCEPT JULY 31 AS WRITTEN SECONDED BY LARRY MARKS. The Board responded by saying 'I'. ALL WERE IN FAVOR. MOTION CARRIED.

The Board held discussion regarding the July 31, 2019 minutes. After review, the Board agreed to approve the minutes.

REGAN STARKEY MOTIONED TO APPROVE JULY 31, 2019 MINUTES AS WRITTEN SECONDED BY LARRY MARKS. The Board responded by saying 'I'. ALL WERE IN FAVOR. MOTION CARRIED.

Old Business:

Chairman Starkey stated he thought the Board had Airbnb hashed out at the last meeting, then about a week later he received an email from a neighbor saying the information wasn't sent to the Prosecutor. Chairman Starkey said he called Zoning Inspector Jeff Shipman who said no the information had not been sent. Mr. Shipman thought the Board was still working on the wording. Mr. Shipman stated he called the Prosecutor's office and they are ready to receive the information. Mr. Shipman said the Prosecutor informed him on who to send it to. Discussion followed.

A resident in the audience asked the Board what they were sending to the Prosecutor. Chairman Starkey explained to the resident that the Board has added definitions and changed some definitions in the book regarding Airbnb. Chairman Starkey informed the resident that the Board recommended that in order to have an Airbnb in the township, a Conditional Use permit would be required. Chairman Starkey said that if the Prosecutor approves the suggested changes and additions, it will go to the Trustees to be approved and added to the book. Discussion followed.

Elizabeth Brahler of 5611 Alcorn stepped to the podium and asked for clarity from the Board on whether the homeowner would be required to occupy the home. Zoning Inspector Jeff Shipman stated that this would be a home occupation. Chairman Starkey stated he doesn't remember saying that. Mr. Shipman stated it would be up to the Board of Appeals. Discussion followed.

Randy Leedy of 9604 Louisville stepped to the podium and stated his name and address for the record. Mr. Leedy held the discussion with the Board earlier in the meeting about what was being sent to the Prosecutor. Mr. Leedy informed the Board he is considering using his home as an Airbnb because he teaches in Alaska for part of the year and his renter just recently moved out of the home.

Discussions was held on the following Old Business:

- Grandfather Clause
 - Discussion adding a definition for Grandfather Clause to the book
 - Discussion of adding a specific time limit if the owner is no longer doing something
 - Discussion of who will measure the time limit
 - Discussion of whether the time limit will be enforceable

The Board held a discussion regarding 1 acre or less. Chairman Starkey stated he really doesn't want to do anything with this. Chairman Starkey said he believes agricultural use is 5 acres. After discussion, the Board decided to leave this topic be.

Chairman Starkey stated that Zoning Inspector Jeff Shipman mentioned that either East Canton or Osnaburg has regulations for marijuana. Mr. Shipman stated it is for the processing of marijuana. Chairman Starkey questioned whether they needed to have regulations in the book since there are State regulations. After discussion, the Board dropped this topic.

New Business:

Chairman Starkey asked if there was any New Business to discuss. Zoning Inspector Jeff Shipman stated it has been quiet. The Board held a discussion regarding the new Dunkin Donuts being built. Mr. Shipman informed the Board he is really close to having the Carriage House torn down. Discussion followed.

Chairman Starkey stated if the Board decides to have a meeting next month, they will discuss the Grandfather Clause. Chairman Starkey stated he hopes they will get some resolution for the Airbnb soon.

Zoning Inspector Jeff Shipman informed the Board that the Township will be having the Zoning Inspectors Meeting on September 13, 2019 at 10 a.m. and if any members would like to attend. Discussion followed.

Chairman Starkey suggested skipping the month of September and having the next meeting in October. Chairman Starkey asked Zoning Inspector Jeff Shipman to notify the Board when he gets the information back from the Prosecutor about the Airbnb. Mr. Shipman informed the Board he is currently working on taking buildings down throughout the Paris area. Mr. Shipman stated next he plans on working on removing junk cars this winter. Discussion followed.

The Board held a discussion on when to have the next Work Session. The Board agreed to skip the month of September. After discussion, the Board decided the next Work Session will be Wednesday, October 16, 2019 at 7 p.m.

A resident asked the Board when they hear back from the Prosecutor if it will be advertised on the website. Chairman Starkey stated after the Trustees vote on it and it’s approved it will be published. Zoning Inspector Jeff Shipman stated it will be in the newspaper. The Board also stated it will be posted on the Township website.

Adjournment:

REGAN STARKEY MOTIONED TO ADJOURN AT 7:29 PM SECONDED BY HERB KLEBAUM. The Board responded by saying ‘I’. ALL WERE IN FAVOR. MOTION CARRIED.

Regan Starkey, Chairman
Nimishillen Township Board of Commission

Larry Marks, Vice-Chairman
Nimishillen Township Board of Commission

/sd