

Peru TWP Zoning Meeting Minutes for 02/06/2025

Present: Tony DiNovo, Harold Wiebe, and Susan DeVol

Excused: Eric Coffee, Larry Stefanich, and Elisa Kenney

Absent: Matt Fisher

Guests: none

Tony called the meeting to order at 6:00pm. There is a quorum with three members present.

The minutes from the 1/2/25 meeting had been previously issued and, finding no errors or omissions, were accepted as written.

The members reviewed Brent Russell's email regarding the need for a Planned Unit Development. Following discussion, it was recognized that the Poston's Preserve needs to be listed on the Zoning Map as a Special Use District.

We then continued our review of the proposed regulations. During the review, it was decided that the car repair shop on County Road 15 must be considered a Commercial District as the shop owner does not reside on the premises, per Tony.

In Section 16.1A, we agreed to a significant change. The paragraph had read:

"Up to eight (8) inoperable, unlicensed, or unused Vehicles or non-agricultural equipment may be permitted if they cannot be viewed from the roadway or are covered.

"This prohibition shall not apply to Vehicles or equipment stored pursuant to sales or repair activity permitted as a Home Business or Commercial endeavor or in compliance with an approved Site Plan in the Commercial or Light Industrial District."

It now reads:

"No more than four (4) inoperable, unlicensed, or unused Vehicles or non-agricultural equipment that can be viewed from the roadway or are not covered may be permitted on a Lot. More than four (4) but not more than eight (8) inoperable, unlicensed, or unused Vehicles or non-agricultural equipment may be permitted on a Lot if they cannot be viewed from the roadway or are covered.

"This prohibition shall not apply to Vehicles or equipment stored pursuant to sales or repair activity permitted as a Home Business or Commercial endeavor."

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For 16.1N, Susan is to propose a definition for an exotic animal. [Note: Susan researched the Ohio Revised Code and found ORC 935.01 that defines a dangerous wild animal, which we refer to instead of using the term "exotic animal." ORC 935.02 states that no person shall possess a dangerous wild animal on or after January 1, 2014. This section also prohibits a

person from buying, selling, trading or transferring ownership of a dangerous animal, except as provided by ORC 935.06(G)(1) and (2); a person that operates a rescue facility may acquire but not purchase a dangerous animal if certain conditions exist.

In Section 16.4C, Eric has said that the county allows for a 973 square foot home. Susan researched this and the most recent County-wide Zoning regulations (revised 10/8/2021) allow for a single family dwelling unit of 1,100 sf, a manufactured home of 1,100 sf, a two-family residential dwelling of 1,000 sf per unit; a multi-family residential dwelling of 900 sf per unit of which at least 650 must have a ground floor living area of not less than 650 sf.

In Section 16.5N (which is now M), Tony is to propose new language for this [Note: Tony provided the following:

Lighting: All exterior lighting shall be down-lighting so no light shall cast on adjoining properties and be consistent with the Dark-Sky Association's (IDSA) goal to eliminate over-lighting.

Section 16.5 N Existing trees: An existing tree with a trunk diameter of six (6) inches or more at breast height (DBH) shall be retained or replaced on that Lot or another Lot within the Planned Residential District, unless it is determined by the Zoning Commission that the retention or replacement of such tree would be an unreasonable burden on the development or unreasonably limited use of the site, in which case the Zoning Commission shall require that the tree plan includes the replacement trees as follows:

1) The total number of caliper inches of replacement trees for a site shall equal or exceed the combined diameter of the protected tree(s) removed. All replacement trees shall be of a deciduous species which is indigenous to the region and shall be made with new trees of not less than two and one-half inches in caliper. Replacements shall be made within one year of the date of removal of any tree for which replacement is required.

2) If the site cannot accommodate all required replacement trees, they may be planted in locations as approved by the Zoning Commission. Payment into a Tree Fund (as established by the Trustees) shall be required if there are not suitable planting locations as determined by the Zoning Commission.

Tony suggested that we include a definition of a developer; Susan will research this and make a proposal. [Note: Susan reviewed the Morrow County County-wide Zoning

regulations and almost all of the Delaware County zoning regs and did not find a definition. However, a number of them used the term “builder/developer.” She then researched the definition on-line and found:

“In construction, a "developer" is an individual or company responsible for the entire process of transforming a piece of land into a developed property, including acquiring the land, obtaining necessary permits, designing the project, managing financing, overseeing construction, and ultimately selling the completed development; essentially, they are the project owner who manages all aspects of a construction project from concept to completion, aiming to generate profit from the sale of the developed property.

“Key points about a construction developer:

- **Not just building:** While construction is a part of their role, developers focus on the bigger picture, including land acquisition, legal compliance, design, permitting, marketing, and financial management.
- **Project management:** Developers oversee the entire project, coordinating various contractors and ensuring the project stays on schedule and within budget.
- **Profit motive:** Their primary goal is to make a profit by selling the developed property. “

Using this, Susan suggests the definition of developer to read, “A person or company responsible for the process of transforming a Lot into a developed property, including but not limited to acquiring the land, obtaining necessary permits, designing the project, managing finance, overseeing construction, and selling the completed development.”

We may want to think about what standards we need for a developer of a Planned Residential District (six lots or more) vs a Residential District (five lots or fewer).

In Section 16.5BB, Tony is to provide suggested language.

In Section 16.6A24, Tony is to provide suggested language.

In Section 16.8B, we may want to change this – Tony is to research this.

At our next meeting, we will resume with Article 17.

Respectfully submitted,

Susan DeVol