

**Meeting Minutes**  
Waverly Municipal Planning Commission  
Regular Meeting  
September 13, 2006  
Municipal Building

**APPROVED**

The meeting was called to order by Vice Chairman Allen at 2:04 p.m. Vice Chairman Allen announced that Chairman Corwin would arrive late and that the Mayor would not be present. Vice Chairman Allen also welcomed the newest Planning Commissioner Mr. Richard Demlow who's swearing in had been delayed due to the contingency of a By-Laws revision allowing him to serve. Also present at the meeting were Mr. Nathan Davis the Development Director and on audience participant. At this time Vice Chairman Allen requested that everyone review the last meeting minutes. Mr. Davis apologized for the different format of the minutes and their late arrival. He explained that with the supervision of the West North Street Reconstruction construction under way it was hard to accomplish all his normal duties and that the minutes preparation had been delegated to the Mayor's Secretary. After review of the minutes Mr. Davis recommended to the committee that he re-write the minutes then bring them for review at the next meeting. All the commissioners agreed to this proposal.

At this time Vice Chairman Allen referred to the next topic on the Agenda which was the revised by-laws. Mr. Davis asked if everyone had received the revised by-laws by email. Everyone acknowledged that they had. Mr. Davis pointed out that the Commission had proposed to amend the by-laws in relation to the "Qualifications" section. Formerly the minutes required a potential member to have lived in the City for at least 5 years. The new rule would be reduced to 3 years. Mr. Davis said that City Council had approved this modification with Ordinance 62-2006 at the last meeting.

At this time Chairman Corwin arrived and took over the duties of leading the meeting from Commissioner Allen. Mr. Davis summarized what he had already said for Chairman Corwin took over the meeting. Chairman Corwin asked if there was any other old business to be discussed. Mr. Davis pointed out that the only old business on the Agenda was the draft of the R-1, R-2 and R-3 zoning district codes, specifically in relation to the exclusion or inclusion of "modular or manufactured homes". Mr. Davis pointed out that in his original draft proposal of the zoning district codes, modular and manufactured homes had been excluded but that the Commission discussed it and decided to include modular and manufactured homes as allowed uses in the R-1, R-2 and R-3 Zoning District Codes.

At this time Chairman Corwin directed the Commission to the New Business of the Agenda. Mr. Davis then reported that the new business item was the R-4 Zoning District Code. Mr. Davis summarized a back ground of the existing code by stating that the R-4 code was the City's Zoning District Code that allowed for not only single family homes but also duplex's, tri-plex's, apartments and condominiums. Mr. Davis then displayed the current zoning map on the projector screen and pointed out to the Commission where the current R-4 District was located in the City. Mr. Davis then displayed and

summarized the current R-4 District Zoning Code on the projector screen which appeared as follows:

CHAPTER 1131  
R-4 General Residence District

1131.01 Permitted uses.	1131.05 Lot coverage.
1131.02 Off-street parking.	1131.06 Maximum floor area ratio.
1131.03 Lot area per dwelling.	1131.07 Signs.
1131.04 Yards.	

CROSS REFERENCES

Gross floor area and ratio definitions and measurement – see P. & Z. 1107.32, 1107.33

Lot definitions and measurements – see P. & Z. 1107.42 et seq.

Variations and special exception permits – see P. & Z. 1113.04 et seq.

Permitted uses and signs in R-1 Districts – see P. & Z. 1125.01, 1125.07

Maintenance responsibility for required yards and open spaces – see P. & Z. 1151.01

Permitted yard obstructions – see P. & Z. 1151.05

M-1 performance standards applicable to residence districts – see P. & Z. 1151.12

Agricultural structure exemption – see P. & Z. 1151.15

Maximum number of parking spaces in R-4 Districts – see P. & Z. 1155.15

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1131.01 PERMITTED USES.

In an R-4 District, the following uses are permitted:

Any of the uses permitted in an R-1 Single-Family Residence District.

Two-family dwellings.

Multiple family dwellings and apartments.

One-family row dwellings, party-wall, with not more than six dwellings in a row or building. (Ord. 10-16-67. Passed 11-20-67.)

1131.02 OFF-STREET PARKING.

Automobile parking facilities shall be provided in R-4 Districts as required or permitted in Chapter 1155. (Ord. 10-16-67. Passed 11-20-67.)

1131.03 LOT AREA PER DWELLING.

- (a) Every one-family detached dwelling hereafter erected in an R-4 District shall be located on a lot having an area of not less than 6,000 square feet, and a width at the established building line of not less than sixty feet.
- (b) Every building hereafter erected in an R-4 District or altered to provide two or more dwelling units shall be located on a lot having an area of not less than 8,000

square feet and width at the required building line of not less than seventy feet, and not less than the following lot area per dwelling unit shall be provided:

<u>Dwelling Unit Type</u>	<u>Minimum Lot Area per Dwelling Unit (Square Feet)</u>
Units with 2 or more bedrooms	3,000
Units with 1 bedroom	2,000
Efficiency units	1,200

- (c) All nonresidential principal uses permitted in an R-4 District shall be located on a lot having an area of not less than 10,000 square feet and a width of not less than seventy-five feet at the building line.
- (d) Minimum lot sizes for special exceptions in R-4 Districts shall be prescribed and conditions stipulated at the time a special exception permit is authorized, but in no case shall any such lot have an area of less than 10,000 square feet. (Ord. 10-16-67. Passed 11-20-67.)

#### 1131.04 YARDS.

No building shall be erected or enlarged in an R-4 District unless the following yards are provided and maintained:

- (a) Front Yard. For every building on a zoning lot a front yard shall be provided of not less than twenty feet, plus one additional foot of front yard for each three feet over forty feet in building height.
- (b) Side Yards. On every zoning lot, side yards shall be provided as follows:
  - (1) One-family. For one-family detached dwellings, the same regulations shall apply as in an R-2 Single-Family District.
  - (2) Two and multiple family. For two-family and multiple family dwelling units, the side yard on each side of each building shall be a minimum of ten feet in width plus an additional two feet in width for each additional story above two stories in height. On corner lots there shall be maintained a side yard of not less than fifteen feet on the side adjacent to the street which intersects the street upon which the building maintains frontage, and in the case of a reversed corner lot there shall be maintained a setback from the side street of not less than fifty percent of the front yard required on the lots in the rear of such corner lots, but such setback need not exceed fifteen feet. No accessory building on a reversed corner lot shall project beyond the front yard required on the adjacent lot to the rear, nor be located nearer than five feet to the side lot line of the adjacent lots.
  - (3) Nonresidential. On a lot improved with a nonresidential building, there shall be a side yard of not less than twelve feet on each side of the main structure and a combined total of side yards of not less than thirty feet.

- (c) Rear Yard. There shall be a rear yard of not less than thirty feet. (Ord. 10-16-67. Passed 11-20-67.)

1131.05 LOT COVERAGE.

Not more than forty percent of the area of a lot in an R-4 District may be covered by buildings and structures, including accessory buildings. (Ord. 10-16-67. Passed 11-20-67.)

1131.06 MAXIMUM FLOOR AREA RATIO.

The maximum floor area ratio in R-4 Districts shall be as follows:

- One-family detached dwellings, 0:4.

- Two-family and multiple family dwellings, 0:7.

- Permitted nonresidential uses, 1:0

- Special exceptions shall be as specified with the special exception permit.

(Ord. 10-16-67. Passed 11-20-67.)

1131.07 SIGNS.

The regulations governing signs in an R-1 District shall apply in an R-4 District.

(Ord. 10-16-67. Passed 11-20-67.)

After reviewing the existing R-4 Zoning District Code Mr. Davis then displayed the proposed new R-4 Zoning District Code which the Commission discussed at length. After discussion the new code was proposed as follows:

CHAPTER 1131  
R-4 General Residence District

- 1131.01 Permitted uses.
- 1131.02 Off-street parking.
- 1131.03 Lot area per dwelling.
- 1131.05 Yards.
- 1131.05 Lot coverage.

CROSS REFERENCES

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1131.08 PERMITTED USES.

In an R-4 District, the following uses are permitted:

- (a) One-family detached dwellings **to include** modular or manufactured homes, unless otherwise privately deed restricted.
- (b) Two-family dwellings;
- (c) Multiple family dwellings, condominiums and apartments;

- (d) Roadside stands for the display, sale or offering for sale of agricultural products grown or produced on the property, provided that the standards and produce on display are located ten feet back from the nearest right-of-way line.
- (e) Home occupations.
- (f) Schools: public, denominational or private, elementary and high, including playgrounds, garages for school buses, athletic fields and other uses auxiliary thereto.
- (g) Churches, seminaries, rectories and parish houses.
- (h) Parks, forest preserves and recreational areas, when publicly owned and operated.
- (i) Temporary buildings for construction purposes for a period not to extend beyond the completion date of such construction.
- (j) Signs, as permitted and regulated by Chapter 0000.
- (k) Public utility facilities, as defined by the Ohio Revised Code.
- (l) Accessory uses, including off-street parking facilities in accordance with the provisions of Chapter 1155. (Ord. 00-00. Passed 00-00-00.)

#### 1131.09 OFF-STREET PARKING.

Automobile parking facilities shall be provided in R-4 Districts as required or permitted in Chapter 1155. (Ord. 00-00. Passed 00-00-00.)

#### 1131.10 LOT AREA PER DWELLING.

- (e) Every one-family detached dwelling hereafter erected in an R-4 District shall be located on a lot having an area of not less than 5,000 square feet, and a width at the established building line of not less than fifty feet.
- (f) Every building hereafter erected in an R-4 District or altered to provide two or more dwelling units shall be located on a lot having an area of not less than 8,000 square feet and width at the required building line of not less than seventy feet.
- (g) All nonresidential principal uses permitted in an R-4 District shall be located on a lot having an area of not less than 10,000 square feet and a width of not less than seventy feet at the building line. (Ord. 00-00. Passed 00-00-00.)

#### 1131.11 YARDS.

No building shall be erected or enlarged in an R-4 District unless the following yards are provided and maintained:

- (d) Front Yard. For every building on a zoning lot a front yard shall be provided of not less than twenty feet.
- (e) Side Yards. On every zoning lot, side yards shall be provided as follows:
  - (1) One-family. A side yard on each side of the principal building of not less than four feet, except where a side yard adjoins a street or alley, the side yard shall not be less than ten feet.
  - (2) Two and multiple family. For two-family and multiple family dwelling units, the side yard on each side of each building shall be a minimum of ten feet.
  - (3) Nonresidential. On a lot improved with a nonresidential building, there shall be a side yard of not less than ten feet on each side of the principal building.

- (f) Rear Yard. There shall be a rear yard of not less than twenty feet. (Ord. 00-00. Passed 00-00-00.)

1131.12 LOT COVERAGE.

Not more than fifty percent of the area of a lot in an R-4 District may be covered by buildings and structures, including accessory buildings. (Ord. 00-00. Passed 00-00-00.)

Mr. Davis announced that at the next meeting the Business Zoning District Codes. Mr. Davis announced that the new R-4 would be discussed as old business.

Next Chairman Corwin asked if there was any audience participation. Mrs. Manson representing Pike Travel and Tourism spoke to the Commission about the County preparing a County Brochure.

With no more business at hand, Commissioner **Allen made a motion to adjourn which was seconded by Commissioner Demlow. Roll Call: All Aye.** The meeting was adjourned at 3:15 p.m.

**These minutes were prepared using an audio recording.**