

7:30 P.M.

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The Special Meeting was held in the Town Hall meeting room with Ronald Kotkowski (Ron K.), Frank Ruehr, Jr., (Frank R.), and John Kline (John K.), from here on out will be addressed as the BOT (Board of Trustees), and Fiscal Officer, Jill Corbett present. The purpose of the Special Meeting was to address a Zoning Amendment. Amendment 1 & 2 was presented to the BOT from the Shalersville Township Zoning Commission. The meeting Chairperson, Ronald Kotkowski called the meeting to order. Greg Benner led the Pledge of Allegiance.

Others present: Maude Bias, Nathan Goodell, Greg Benner, Dean Engelhart, Lloyd Harper and Rich McIntyre.

Chairperson for the Shalersville Township Zoning Commission, Nathan Goodell explained the reasoning behind the following Amendments. It was brought to the Zoning Board attention that since Shalersville is a rural township why are they not permitted to have backyard chickens when other city and townships allowed them. The Zoning Board looked into these other cities and townships, and their zoning books to see what their rulings were. They discussed since Shalersville Township is rural, that they felt with the limits listed they would submit Amendment 1 & 2 changes to the BOT.

Amendment 1 – Amend Section 331 Permitted Uses

E. Backyard Chickens

It shall be unlawful to place or maintain backyard chickens in any area unless the following conditions and requirements are met:

- 1. No more than six (6) backyard chickens are permitted per dwelling unit.**
- 2. Roosters are prohibited.**
- 3. Other poultry or fowl are prohibited. No person may own or keep any other fowl, including but not limited to pigeons, ducks, quail, geese, or turkeys.**
- 4. Backyard chickens are required to be located within a designated chicken coop and chicken run that shall meet the following requirements:**
 - a. The chicken coop and chicken run shall be located rear or backyard of parcel.**
 - b. The coop shall have a minimum ten feet (10') setback from the rear property line, and five feet (5') setback from the side property line as defined in Section 333.**

Amendment 2 – Amend Section 339 Non-Permitted Use

- A. Farm Animals are a non-permitted use in the R-2 District; this includes, but not limited to horses, cows, pigs, sheep, goats, fowl, fox and donkeys. Exceptions; backyard chickens (as described in Section 331), and including 4-H projects and or other established youth programs shall be addressed by the Zoning Board of Appeals.**

Ron K. question that Todd Peetz, Director of Portage County Zoning Regional Planning suggested that they should include the R2 under lots 1 acre or less. Nathan replied that the Zoning Board thought this would make it confusing, and not to include this verbiage in the new admendments. Ron K. thought it should be included to protect the township, and to just add in lots under an acre.

Frank R. question if the Zoning Board has had any complaints or request for chickens. They have not.

John K. asked since there have been no complaints or request why did the Zoning Board feel the need to change the ruling. Nathan explained that it was brought to their attention about someone having chickens in the past. Nathan explained that the Zoning Board was being proactive in their decision to change this zoning. If any residents wanted to have chickens they wouldn't have to request a variance at a cost of \$300.00 for the change.

Ron K. explained that he had a call from a resident in the Red Fox development that their chickens had all been killed by a neighbors dog. Ron went out the residence, and yes all of their chickens were dead. They had also called the Sheriff department. The homeowner was raising the chickens with their small children for the eggs and meat. Ron knowing that chicken were in violation to the Shalerville Township Zoning Resolution, he felt the Zoning Commission should look at this again, to possibly change the Resolution to allow backyard chickens.

Ron K. further explained to the BOT, that chickens were allowed in the townships R2 districts, but it was changed many years ago when one person complained, it was decided at that time the rule was changed to have them not permitted. He also felt strongly that being a rural township that our residents should be able to raise chickens for putting food on the table. Ron felt that as a land owner they should have the right to raise chickens for eggs or meats for their families. Ron also made the argument that the city of Kent allows chickens and they have much smaller lots.

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Frank R. was concerned that if the change was put in place, that there would be a problem with policing this.

Our Zoning Inspector, Greg Benner agreed. Greg explained that he was the last line of defense for the township. He explained that the city of Kent that had been mentioned has a full time Zoning Inspector, and they can simply write a ticket and the party could be in court that week. Where we have to issue complaint letters, etc. then it would go to the Portage County Prosecuting Attorneys, then to the courts. The whole process could take anywhere up to a year, if the courts would even hear the case.

After much discussion, and since there has been no complaints or request John Kline made a motion to retain the existing rules to not allow chickens as in the current zoning regulation for R2 districts. Frank Ruehr, Jr. seconded the motion. The voted was as follows, Frank Ruehr, Jr. voted Yes, John Kline voted Yes, and Ronald Kotkowski voted No.

The BOT appreciated all the work the Zoning Board put into this topic.

No further business, Chairperson, Ronald Kotkowski directed the meeting to be adjourn at 8:12 p.m.

Ronald Kotkowski, Chairperson

Jill Corbett, Fiscal Officer