

LAGRANGE TOWNSHIP ZONING COMMISSION

May 16, 2022

Call to Order

Roger Kuhl called the meeting to order at 7:00pm.

Roll Call – Board Members Present:

Roger Kuhl, Chairman	Randy Lindsey, Vice Chairman
Roger Bender, Member	Paul Glover, Member
Ron Pickworth, Member	Rick Knight – Alternate
*Ed Burke, Alternate	Kimberly Carter - Secretary

Public Attendance

Susan Yoder

Approval of Minutes

- May meeting minutes to be approved at a later date.
- R. Lindsey made the motion to approve minutes of the April 18th Public Hearing, P. Glover seconded the motion, roll call – Burke: YES; Bender: YES; Pickworth: YES; Glover: YES; Lindsey: YES
- R. Lindsey made the motion to approve minutes of the April 18th meeting, R. Bender seconded the motion, roll call – Burke: YES, Bender: YES; Pickworth: YES, Glover: YES; Lindsey: YES.

Old Business

- R. Kuhl said that the Trustees had their public hearing for the In-Law Suites. Gary Burnett expressed concern for the sizes. They approved the new definition with the addition of “and a maximum of two bedrooms” on the end of the definition.

New Business

- V. Sigmund said that there is a resident who put up an electric fence on part of one of his side property lines. Joe McDonald put up a good neighbor 6’ fence on his side property line from the house to the rear of his property. Then his neighbor put up an electric fence 3’ away where that fence started out to the front of the property. The Trustees are concerned about safety and liability with an electric fence. The attorney said there is nothing they can do about it, but the township can put restrictions in the zoning for electric fences. Need to define boundary fence and partition fence. R. Pickworth recalled from memory that a boundary fence could be electrified, but not the top wire. R. Knight asked if it was rope or wire. V. Sigmund confirmed it’s wire and that all wires on this particular fence are electrified. With a partition fence, you have to have permission from neighbors because both share in the cost of upkeep and repairs. There is a lady with the last name of Hill that has a lot of information on fences. V. Sigmund to bring in this paperwork. Looked up Chapter 971 of the ORC which was referenced in our zoning book under fences. Only agricultural references.

R. Pickworth suggested focusing on Boundary fence, not electric so it doesn’t appear to be singling out this particular resident. R. Knight agreed we need to be tactful in our wording so that the guy doesn’t put the electric fence on the other property lines. R. Lindsey said if it’s a partition fence, then what is it holding in since it’s only on one side of property line. R. Kuhl confirmed that this area is residential/agriculture. V. Sigmund suggested putting restrictions on residential or specifically to electric fence.

R. Lindsey inquired about fence rules for pools. V. Sigmund confirmed there are no rules for pools. R. Lindsey continued to inquire why we are worried about the electric fence and safety and not about pools and safety. E. Burke said that nobody has ever died from getting shocked by an electric fence. General discussions about safety of kids and grandkids of neighbors to the electric fence. R. Knight asked if we care if one neighbor sues another in a civil suit for the fence. V. Sigmund stated it could be a liability for the township. R. Kuhl said that if the prosecutor says it is an issue then we need to do something about it.

Susan Yoder (Public comment) said she understood the prosecutor’s view, but this should be an issue that the residents deal with. The more you restrict the public, the more you change the country landscape. I don’t feel it should be a zoning rule.

R. Lindsey said that the first topic in the Land Use Plan is to preserve the rural nature of the land. The first thing on the prosecutor's mind is not being sued. You can't just write a rule about every specific thing or every liability. This fence is just getting cherry picked. What if he strung nonelectric barbed wire – would we have to write zoning on that too? R. Knight agreed that we are in charge of preserving the rural nature of the township and we can't keep rewriting rules for the people that move out only to find out they may not like the rural ways. R. Pickworth suggested that with just one electric fence, it doesn't justify rewriting the zoning. Let's hope this doesn't become a trend. R. Knight said if the sole purpose is to insulate the Township from being sued, it's a losing game and we will go down a rabbit hole. R. Kuhl said that 95% of the time they turn into civil suits regardless of zoning rules. V. Sigmund commented that most people adhere to our zoning, so figured if we put something in the zoning on electric fences then most people would abide by it.

R. Kuhl said that he will take it back to the Trustees that we are not going to address it at this time. It will be up to the Trustees to decide whether they pursue it further.

Adjournment

P. Glover made the motion to adjourn the meeting, R. Bender seconded the motion, roll call – Burke: YES, Bender: YES; Pickworth: YES, Glover: YES; Lindsey: YES. The meeting was adjourned at 8:06pm.

Next Meeting

The next meeting for the Zoning Commission will be on Monday, June 20th @ 7:00pm for a regular meeting at the LaGrange Complex, 40801 Biggs Rd, LaGrange, OH.

Respectfully Submitted,
Roger Kuhl, Chairman

Kimberly Carter, Secretary
