

Randolph Township Board of Zoning Appeals

September 21, 2015

7:00pm

BZA: Mark Wise, Bob Moledor, Kevin Steiner, Chuck Guthier, Jason Bonecutter

ZC: Gary Harrison

Trustees: Sue White, Mike Lang

ZI: Erin Myrla

Residents: Ken Adams, Eric Blandford, Scott Horning, Don Huth, Gerrie Huth, Frank Hagan, Virginia Bogle, Jackie Bogle, Carl Saltsman, Ralph Strunk, Fred Huth, Don Franze, June Franze, Pat Franze, Lisa Franze, Jim Davies, Dave Goodyear, John Francis, Felicia Franze

K. Steiner: Opened meeting at 7:03pm with the pledge of allegiance. Asked ZI to read the first application.

E. Myrla: Application number 92115A was submitted by Shirley Ryan on behalf of her tenant, Eric Blandford, for 1024 ST. Rt. 44. The variance is to Sec. 601 T. 4. C.

K. Steiner: Administered oath to audience members wishing to speak tonight.

E. Blandford: Lives at the address. Asking for a variance to run an automotive repair shop in the garage that is already on the property. It has been a long term dream of to own his own shop.

Ryan: Eric has been a tenant for 5 and a half years. He's always kept the home clean and neat. He has the proper insurance in place.

M. Wise: Asked for details about the building.

E. Blandford: Concrete floor is there. Putting in insulation for heating in the winter. 110 electric. There are no car lifts or signage at this time.

K. Steiner: Asked if there were floor drains.

E. Blandford: There are two. One works and one doesn't work very well.

K. Steiner: Asked where the floor drains drain into. What size is the building?

E. Blandford: It's 40x60. Not sure where it drains into. Stated that he does have his EIN so that he can run a legitimate business.

C. Guthier: How will you dispose of oil?

E. Blandford: Has 55 gallon drum in the garage. A company comes out and disposes of the oil from the drum. If there are spills he cleans them up with a special towel .

K. Steiner: What is your current employment?

E. Blandford: Doing side work out of that garage. Also, goes to people's houses to help them.

K. Steiner: What is the amount of business you'd like to do? How many cars?

E. Blandford: Can hold 5 cars in the garage. No more than 3 or 4 cars outside because he doesn't want the property to look cluttered.

M. Wise: Do you have a long term idea of what to do with the property?

E. Blandford: Growing business as I get clientele. Until his business is big enough to find and afford another building. Maybe a two year plan.

K. Steiner: Asked for audience comments.

F. Hagan: Is that building legally in place?

E. Blandford: According to the parcel page, it was listed as part of the 1969.

M. Ryan: There was originally a pool chemical business in the 80's and 90's.

D. Huth: Concerned about drainage. Will the EPA become involved in this? Is there room for cars to park along the one side? What happens if the variance is granted and the tenant leaves in a few months? Does the variance stay with the building? If the variance would pass, I would think that the BZA is should put an end time to it. It seems like a lot of things need done. Thinks it's not the place for it.

E. Blandford: I've been in that property for five and a half years and not had a problem with the rent.

R. Strunk: Concerned about the drainage and the items that could be lying around the property. Also has concern about noise. Will the building be sound proofed?

B. Moledor: What about water to the building?

E. Blandford: There is no water to that building. I use a hose if I need water. I use the bathroom in the house. My hours would be 8am-6pm M-F and by appointment weekends.

D. Huth: Has concerns about the lack of restroom in the building.

F. Hagan: What about the customers using the restroom?

J. Francis: You already have a business in town that uses a garage. He's not going by the variance he was granted. There is also another one down on St. Rt. 44. You have to help the people so they don't have to look at this.

K. Steiner: Asked for additional questions/comments from audience and board. Read letter from F. Hagan in opposition to the granting of the variance.

M. Wise: Motion to go into private deliberation.

B. Moledor: Second

Guthier: Yes Moledor: Yes Bonecutter: Yes Wise: Yes Steiner: Yes

There was discussion among multiple audience members regarding the flow of water in the area.

W. Riggle: Finally got his ditched covered. Thinks the property owner should be responsible for the costs.

The Board entered private deliberation at 7:28pm. Returned at 7:46pm.

K. Steiner: Asked for any further questions.

D. Huth: Does the health department become involved in this?

K. Steiner: If the building is being built, the first thing is to get a zoning permit and then to the county departments.

D. Huth: This doesn't have to go to the county since the building is already there.

M. Wise: Motion to grant application number 92115A.

J. Bonecutter: Second.

Guthier: No Moledor: No Bonecutter: No Wise: No Steiner: No

M. Wise: The reason the application was turned down because of concerns of water runoff. The building wasn't designed to run a business out of. There isn't the ability to run a business

properly. It's close to the road and a small lot. There are also foundation and electric concerns. The drainage issues are another concern if you can catch any spills.

K. Steiner: Asked ZI to read next application.

E. Myrla: Application number 92115B submitted by Oliver Wayne Riggle for 4536 Waterloo Road. The variance is to Section 705.01 E.1.

W. Riggle: Shelter for camping trailer, truck and tractor. No bathroom or heaters. Cold storage. The city wants 10 feet away from living area and the county says you have to be 20' away from the next site.

B. Moledor: The reason for some of that is for fire protection.

W. Riggle: I did set it 10 feet away from garage. The house is on the other side of the garage. I've been diagnosed with something from my muscles and I can't walk that far to get to my building.

B. Moledor: Is the building going to be higher than the house?

W. Riggle: The walls have to be 14 feet to get the trailer in there.

K. Steiner: The building is going to be steel?

W. Riggle: Yes. It matches the house and he ordered the garage door to match his garage doors that are already there. Wants to keep it nice and neat.

K. Steiner: Asked for comments from neighbors.

K. Adams: Asked to view the drawing.

Mr. Riggle: Discussed details of the drawing with the Board.

Multiple discussions.

K. Steiner: Is your house taller than what the building will be?

W. Riggle: Yes.

C. Saltsman: Asked to view the drawing.

K. Steiner: Asked for additional comments.

C. Guthier: How big is the camper?

W. Riggle: 28'. It's only a couple of years old and wants to keep it clean.

M. Wise: Motion to enter private deliberation.

J. Bonecutter: Second.

Guthier: Yes Moledor: Yes Bonecutter: Yes Wise: Yes Steiner: Yes

The Board entered into private deliberation at 8:04. Returned at 8:09.

K. Steiner: Asked for additional questions.

M. Wise: Motion to approve application number 92115B with the conditions that the structure is built per drawing submitted without water or heat.

B. Moledor: Second.

Guthier: Yes Moledor: Yes Bonecutter: Yes Wise: Yes Steiner: Yes

K. Steiner: Asked ZI to read third application.

E. Myrla: Application number 92115C was submitted by Scott and Denise Horning for 4182 Waterloo Road. The application is to determine if the proposed use is substantially similar to Permitted Uses in zoning district. Section 553.02 A.4.

S. Horning: Winter storage. No sewage hook up. The building will consume a large portion of the property, so there really won't be room to store items outside. Down the road, will be putting electric in. Wants to do

E. Myrla: Explained the Board is determining if the proposed use is similar in character in.

Franze: Do we really need it? There is storage behind Dianne's Main Event.

Franze: How many do you plan on parking in there?

K. Steiner: Please address the Board with your questions and comments.

M. Wise: Offered his drawing to Mr. Franze.

S. Horning: The verbiage in the TC is unclear of what you can do because you can't list everything.

Mr. Franze: Could you read the Permitted Uses in TC?

K. Steiner: Yes. Read Permitted Uses for Town Center. Read Conditionally Permitted Uses. Your residence is not on this property, right?

S. Horning: Right. This use is also in Town Center.

K. Steiner: Asked for questions from the Board.

Bogle: Doesn't see the need for the building.

S. Horning: It's a metal pole building. With a metal roof, black and charcoal roof with maroon siding and grey doors. Not a business in there. Plan on having the ability for a farmer to store hay in there. Typically used October to April. Will have a metal sealing and sides after it's insulated.

K. Steiner: Doesn't see a drawing with a front elevation or height.

P. Franze: Is this really something we want at the moment. It's going to look like a giant building.

S. Horning: It's going to look like a barn. It will be aesthetically pleasing. I'm not asking for a variance. I'm asking for a similar permitted use. It's already going on in the TC.

K. Steiner: What you want to know tonight is if it's similar use.

S. Horning: There's a lot I can do there. I'm going for a similar permitted.

J. Davies: I do farming. A lot of unwanted traffic down the road. Not a main road.

P. Franze: It boils down to what we really want this community doing. Do we want a bunch and buildings and parking lot?

F. Franze: It will also bring a lot of unwanted people. Also concerned about the safety of the home. Concerned about strangers coming around.

Bogle: Doesn't want anything over there. If it was a house, it would be different.

K. Steiner: Please address the Board. Asked Scott to show the Board details on the drawing.

P. Franze: Why was it zoned TC to begin with? The one little strip is TC. There's wetland on part of it.

Multiple discussions.

K. Steiner: How much property is it?

S. Horning: .7 acres. The fairgrounds has temporary winter storage and it runs out quickly. There won't be much traffic. It's two times a year.

P. Franze: Doors will be locked and only opened twice a year?

S. Horning: Goal is for heated winter storage.

M. Wise: Not separated storage units?

S Horning: No.

F. Franze: Also concern of people breaking into the building to steal things.

K. Steiner: There is a concern for people breaking into anything.

S. Horning: It will have an alarm system. If it became an issue, I will fence it in. The point is for it to be a pleasing building that will fit into Randolph.

K. Steiner: I think we've established there are similar uses in TC. Before we can go further with it, some of these uses may have been before the resolution was in place. Couldn't make a determination with what was submitted. Would like to see what type of landscaping, lighting, signage.

S. Horning: That wasn't asked on that form. I didn't want to spend time and money on architectural plans and then ask for similar use. I submitted what was asked for on the form. I'm asking to be granted a zoning permit so that I can get a building permit. It's winter storage. It's not people coming and going.

K. Steiner: It's still a business. Do you need an office there? Do you need a bathroom there?

S. Horning: Not based upon the ORC.

M. Wise: I would like to have seen a rendering of the structure to show the height of the structure and the doors. With a print of some kind we can base our opinion on that.

S. Horning: I would have done that, but that's not what is required.

Multiple discussions.

S. Horning: If it was for agricultural use, I wouldn't be here. It's for winter storage for my stuff and for anyone else.

P. Franze: The setback has to be at least 60' from the road and the rear is 30'.

K. Steiner: We will address those details.

M. Wise: Motion to enter private deliberation.

J. Bonecutter: Second.

Guthier: Yes Moledor: Yes Bonecutter: Yes Wise: Yes Steiner: Yes

Board entered into private deliberation at 8:42 and returned at 9:03.

M. Wise: Motion that the proposed use is consistent with Town Center Permitted Uses.

J. Bonecutter: Second.

Guthier: Yes Moledor: No Bonecutter: No Wise: No Steiner: No

M. Wise: It's inconsistent based upon the fact that the current storage buildings in TC were granted a variance. If you'd like, we will continue with this as a variance. Would like to request the following: A drawing of the building including proposed lighting, signage, and

M. Wise: Motion to continue hearing for application number 92115C to October 19, 2015 at 7:00pm in the Community Center.

J. Bonecutter: Second.

Guthier: Yes Moledor: Yes Bonecutter: Yes Wise: Yes Steiner: Yes

M. Wise: Motion to adjourn.

B. Moledor: Second.

Guthier: Yes Moledor: Yes Bonecutter: Yes Wise: Yes Steiner: Yes

Meeting adjourned at 9:12 pm.