

keep equipment at their homes and go directly to job sites. She plans to park cars in garage so that it doesn't look like having a party. Eventually she would like to build new barn where pond is and where a barn used to be. At maximum there will be six to seven employees going to and from the property. Estimators stay at site all day. They will keep one bucket truck with lift on site and will plan to store it in green barn after it is fixed up. She is planning to put shelving in barns to conceal all materials. More traffic than typical can be seen today, due to work being done to improve the property. Other workers may occasionally stop by to drop off billing paperwork or pick up materials. She moved the business on-site in January, but her partner had a car accident. She planned to become compliant but got sidetracked.

PUBLIC COMMENT: The following residents offered public comment after stating their name, address and affirming that they had been sworn-in earlier in the hearing.

1. Keith Hamilton (7407 Watkins Road) presented written statement. He stated he believes the cart is before the horse. Plans seem different than what was presented by letter. He said they tried to get a renter. They are not in compliance today. The prior owner did not operate a business on site; they just stored equipment there. He is glad the prior tenant is gone and the man that lived in barn. He appreciates the work that Lynn Vara has put into the property, though they don't want to lose the value of what they have invested. He feels the electrical business exceeds the definition of a service business. There is a considerable amount of traffic on Watkins, including quarry traffic. He is not opposed to the office use, but they are opposed to the service nature of the business. Someday this type of use may be appropriate on this property, but not today. He asked why they are moving the business from Concord Road. Lynn Vara stated that she loves this property and they have moved into the home on Watkins Road.
2. Robert Ray (7345 Watkins Road) stated that he is happy with the nature of the business today. He is worried about the future use of the property. He doesn't want to see the area go corporate. He wants to protect their property value by maintaining the area as a residential neighborhood. Not attracting a bunch of future businesses. He wants it to stay looking like a residence.
3. David Leitch (14734 Bellepoint Road) stated that he is Zoning Inspector in Concord Township and as a resident of Millcreek Township he would be happy to have Lynn Vara's business directly across the street from his home. He said that her business in Concord Township has been great.
4. Keith Hamilton (7407 Watkins Road) inquired if they like it on Concord Road, then why move. He later stated that he may be in favor of the CUP if it was properly restricted. He also later raised concern regarding cooper wiring being a target for thieves. Lynn Vara stated that most theft would occur on job sites, but that she is pricing a security system for this property.
5. Polly Hamilton (7407 Watkins Road) stated the new barn would change the character of the property. She asked why it was need. Lynn Vara stated that the pond needs a lot of work, due to damage caused by blasting at the quarry. She had thought a building would be attractive to neighbors. Lynn Vara stated that she can remove it from their plans, if needed; she just thought it would be nice. Polly Hamilton stated she did have a problem with it. Lynn Vara later stated she would like to withdrawn the new barn from her proposal. She inquired if they would be able to open an additional business. Jason Comstock stated that the Board would impose measurable standards to be enforced by the Zoning Administrator. Any modified plans would require future Board approval. Jason Comstock stated the Board makes a decision on the application presented and if they have plans

down the road that will be a separate application. Joe Clase reviewed the standards Section 4260.5 at the request of the Board. Jason Comstock stated the Conditional Use Permit can transfer to new owner but it is restricted to the same conditions. Polly Hamilton later asked if the parking and driveways would be limited to their current configuration and size. Lynn Vara stated that she was fine with this, except for that she is planning to expand parking behind the garage to help screen it. She stated they will also be adding gravel to the existing driveway to cover mud holes and add a circular drive. Polly Hamilton inquired if should would be expanding or replacing the garage. Lynn Vara stated that she is painting it temporarily but would like to replace it eventually to make it look better.

6. Robert Rea (7345 Watkins Road) stated that he doesn't want industrial uses in the neighborhood.

Jason Comstock asked if there were any other public comments or questions about the application. None were expressed.

BOARD DISCUSSION: Jason Comstock feels comfortable that safeguards can be put in place that will make the neighbors happy. He welcomed open dialogue in order to form recommended conditions.

Brian Clark inquired if the property was in violation today. Joe Clase confirmed it was in violation, but in line with the land use as requested.

Steve Cameron inquired if the applicant planned to live in the home. Lynn Vara stated that she may stay there on occasion, but she planned to retain her principal residence on Concord Road. Steve Cameron inquired if business operations would continue on Concord Road, if approved. Lynn Vara stated that she plans to stop all business operations on Concord Road. She stated that she didn't know any approvals were needed when she purchased the property. Her realtor stated that there was a prior landscaping business and that her use would be the same.

Jason Comstock presented the following proposed conditions:

Jason Comstock moved to close discussion. Brian Clark seconded the motion. No objections. Motion carried.

Brian Clark made a motion to approve the Conditional Use Permit (CUP) Application for T&B Electric with the following findings of fact and conditions.

Summary of Findings:

1. The CUP application was submitted May 2, 2010 by the applicant.
2. The proposed use is to be secondary to primary use as residence.
3. Surrounding property owners are in agreement with implied conditions.
4. The application conforms to the standards of Section 4260 of the Zoning Resolution.
5. Activity is viewed as harmonious to surrounding properties.

Conditions applicable to this permit are:

1. The primary use of the property is still residential. No more than 50% to be used for business.
2. Hours of operation limited to 7:00 a.m. to 4:00 p.m., Monday thru Friday. No weekend business activity is permitted.

3. On-site employees should be limited to no more than six (6) employees at any time, whose primary location of work is 7464 Watkins Road, including two (2) full-time estimators, one (1) part-time estimator and two (2) part-time clerical workers and the two (2) owners.
4. On-site commercial vehicles should be limited to no more than three (3) and they should not be stored outdoor without screening after hours.
5. The proposed four (4) car garage may be permitted in conjunction with the Conditional Use Permit (CUP), but the additional 100' by 50' barn shall not be used for the conditional use. No additional buildings may be constructed in conjunction with the CUP.
6. No signage shall be permitted in conjunction with the CUP.
7. All materials shall be stored inside or screened.
8. Parking and drives shall be maintained per submitted plan and may be asphalt, gravel or concrete.
9. No additional commercial lighting shall be added.
10. The addition or expansion of agricultural use on the property may trigger review of the CUP.
11. Materials submitted by the applicant are part of the official record and define the nature of the business in addition to the conditions herein.

Charlie Still seconded the motion. Brian Clark abstained. All others voted in favor of the motion and the motion carried.

Steven Cameron made a motion to close the public hearing at 9:05 p.m. Brian Clark seconded the motion. All voted in favor of the motion and the motion carried.

MINUTES: None

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURNMENT: Brian Clark made a motion to adjourn the meeting. Steve Cameron seconded the motion. All voted in favor of the motion and the motion carried. Jason Comstock announced the meeting to be adjourned at 9:05 p.m.

PREPARED BY:



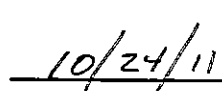
Joe Clase, Zoning Administrator

ATTEST:



Jason Comstock, BZA Chair

DATE APPROVED:



10/24/11

A copy of the official transcript of this meeting can be obtained from Court Reporter Tammy Kleiber, P.O. Box 212, Milford Center, OH 43045, (937-747-9405).

Sign-in

<u>NAME</u>	<u>ADDRESS</u>
KEITH HAMILTON	7407 Watkins Rd. Ostrander - CH
Polly Hamilton	7407 Watkins Rd. " "
Tessi Rea	7345 Watkins Rd. " "
Robert Rea	7345 Watkins Rd. " "
Bill Lynch	TRUSTEE
Lynna Vera	7464 Watkins Rd. " "
David Jett	1473 1/2 Bellepoint Rd. EDS RDH