

MILLCREEK TOWNSHIP BOARD OF ZONING APPEALS

REGULAR MEETING MINUTES

DATE & TIME: Monday, May 23, 2011 @ 7:00 p.m.

LOCATION: Millcreek Township Hall, 10420 Watkins Road, Marysville Ohio 43040

CALL TO ORDER: Meeting called to order by Chair Jason Comstock at 7:01 p.m.

ROLL CALL: Zoning Administrator Joe Clase called the roll of members present.

Board Members Present:

- Steve Cameron*
- Brian Clark*
- Jason Comstock, Chair*
- Charles Still*
- Jim Teitt*
- Bob Whitmore*

Members Absent: *Jeff Pieper*

Others Present:

- Joe Clase, Zoning Administrator*
- Keith Conroy, Trustee*
- Bill Lynch, Trustee*
- Bill Jordan, Trustee*

LEGAL NOTICE: Jason Comstock read the following legal notice as published in the Marysville Journal Tribune at least ten (10) days prior to the hearing:

The Millcreek Township Board of Zoning Appeals will hold a meeting on Monday, May 23, 2011 at 7:00 p.m. at the Millcreek Township Hall, located at 10420 Watkins Road, Marysville, OH 43040. The purpose of the meeting will be to review compliance of Conditional Use Permits and other business that may come before the board. The meeting is open to the public.

MINUTES: None.

OLD BUSINESS: Joe Clase stated that Shelly Materials had a Conditional Use Permit (CUP) approved by the Board of Zoning Appeals on March 16, 2010 for a construction and demolition debris transfer station. The approved use has not been established and the board may revoke the CUP, if the ^{approved} land use is ~~seized~~ ^{CLASES} for more than one year in accordance with Section 4251 of the Zoning Resolution. Jason Comstock noted that Brian Clark stated he would be recusing himself from review and decision on this application because of his employment affiliation with the applicant.

Michael Dinneen with Agg Rok was present to represent Shelly Materials. He stated that the transfer station has not been constructed due to the slowdown in the housing market and would be built when activity rebounded. He stated that he did not have a time period that could be committed to for this project.

Jim Teitt stated that he believed the CUP should be revoked according the one (1) year limitation so that the board and residents have the ability to re-evaluate the CUP at a future time when construction may

be more definite. Jason Comstock said that it would be a problem to leave the permit open-ended.

Jim Teitt made a motion to revoke the CUP for a transfer station at 8328 Watkins Road, owned by Shelly Materials, in accordance with the terms outlined in the Zoning Resolution. Steve Cameron seconded the motion. Brian Clark abstained. All others voted in favor of the motion and the motion carried.

NEW BUSINESS: Steve Wolfe asked the board to offer him guidance whether a variance would be considered to allow outdoor storage of excavation equipment at his property across from the Township Hall, if it was properly screened. He stated that he bought the property in 1993 and that he was previously prosecuted under violations of the Zoning Resolution. He previously initiated a rezoning which was supported by the Logan-Union-Champaign Regional Planning Commission, but was not favored by the Township due to a concern of spot-zoning. He stated that he is currently a one-man operation and that he would like to have the ability to store equipment on his property.

Jim Teitt inquired how often the equipment would be parked on the property. Steve Wolfe stated that it would be more often in the winter and spring, but that it is used in the summer and fall, when it would be stored on job sites. Joe Clase reviewed the standards of Section 12031. Jason Comstock inquired how the large building was constructed on this property. Steve Wolfe indicated it was used for agriculture at one time. Charles Still inquired where the equipment is stored today. Steve Wolfe stated that it is currently being stored on commercially zoned properties. Jason Comstock inquired what zoning district applies to Steve Wolfe's property across from the Township Hall. Joe Clase stated that it is R-1.

Jason Comstock inquired what variance would be pursued. Steve Wolfe stated it would be to allow vehicle and equipment storage. Brian Clark inquired if it could be a temporary variance. Steve Wolfe stated that he could seek a temporary variance for the seasons he needs to store equipment on-site but that it would also need to include a contingency for bad weather. Jim Teitt stated that he does not believe the request would meet the standards of Section 4280. Jason Comstock stated that the request would also not meet the standards of Section 4281. Others affirmed.

Joe Clase asked the board to assist him in ensuring that all Conditional Use Permits (CUPs) are compliant. He will be compiling a master list of those with active CUPs and review them annually. He stated that a community survey will be distributed in the summer months. Joe Clase agreed to do some more research on the active CUPs and schedule a time to meet with the board when his research is complete.

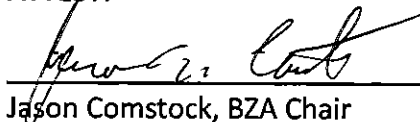
ADJOURNMENT: Jim Teitt made a motion to adjourn the meeting. Steve Cameron seconded the motion. All voted in favor of the motion and the motion carried. Jason Comstock announced the meeting to be adjourned at 7:55 p.m.

PREPARED BY:



Joe Clase, Zoning Administrator

ATTEST:



Jason Comstock, BZA Chair

DATE APPROVED:

