

## Violet Township Board of Trustees

April 22, 2015

Public Hearing –  
Zoning Amendment Case Number 01-ZC-2015

Mr. Weltlich called the public hearing to order at 7:31 p.m.

Mr. Sauer called roll. Attendees were: Mr. Weltlich, Mr. Dunlap, and Mr. Myers. Also present were: Mr. Sauer, Mr. Eisel, Ms. Sarko and Attorney, Peter Griggs of Brosius, Johnson and Griggs.

Mr. Weltlich asked everyone to join him in the Pledge of Allegiance followed by a moment of silence to honor those who protect us around the world.

Ms. Sarko summarized Case Number 01-ZC-2015 as an amendment to the Violet Township Zoning Resolution which would, if adopted; create Section 3AA8, Temporary Uses.

This amendment will define a temporary use and provides submittal requirements for a temporary use permit; a provision for fees; it provides a time period for the approval or refusal of a permit, prohibited temporary uses which would be temporary sales by transient vendors along roadsides - Ms. Sarko noted this provision would not apply to farm markets.

She noted permitted temporary uses are temporary real estate offices within a subdivision. She noted The permitted temporary uses are temporary real estate offices which would be within a subdivision, it provides for signage for the temporary sales office unless provisions are made as part of a Planned District. It also provides for a temporary sales trailer before a model home is constructed. Temporary contractor's offices are included in this amendment. It will be moved from the Accessory Structures and Use to Temporary Uses. A few words are added to this section; they would be "recreational vehicles and campers". which will allow greater ability to regulate persons trying to stay in recreational vehicles and campers instead of living in their house.

Temporary public events are defined as a temporary public event sponsored by a public or non-profit organization within non-residential zoning districts or upon a church, school or other similar site within a residential zoning district.

This Section encourages pre-application meetings between the applicant, Township staff, Township Fire Department, the County Sheriff and the Township Engineer prior to submittal of the application. It is important that they take into consideration the potential impacts to their neighbors.

In order to address impact on the public health, safety and welfare of the community; temporary public events must address certain requirements such as:

- Parking;
- Ohio Building Codes including fire, building, mechanical and plumbing. Inspections and approvals from Building and Fire Department are required.
- Traffic control
- Adequate sanitary facilities
- Adequate security, fire and emergency medical services , security plan to be approved by Township Fire Department and County Sheriff
- Limits the hours of operation from 9:00 a.m. to 11:00 p.m. Monday through Friday; 9:00 a.m. to Midnight on Saturdays; 10:00 a.m. to 6:00 p.m. on Sundays. There are provisions for adequate noise control.They have to submit a plan showing where they will put their speakers and those sorts of things. They may apply for an exemption from the Trustees.

- A signage plan is required. They are permitted two entry signs. Those signs within the boundaries of the event are exempt. They are not permitted to place signs within the road right-of-way. Directional signs need approval of Sheriff, County Engineer, Township Engineer and ODOT.
- Applicant is required to obtain any business license or any other permit required by any federal, state or local statute. Ms. Sarko noted this would address alcohol sales, and noted the health department issues permits for food vendor trailers, and inspections/permits for amusements are handled by the Department of Agriculture.
- The amendment limits the number of days an event could occur.
- Provisions for liability insurance per person per occurrence.
- Temporary uses do not include stand-alone, outdoor music concerts but do include concerts in conjunction with a temporary public event.
- Exempts government sponsored and approved events.
- Exempts school related activities including sporting events.
- Exempts small, temporary sales/fundraising events conducted by schools or churches entirely at the school or church such as bake sales, flower sales, fish fries, or cookie sales. But, she noted, if the small, temporary event includes live or amplified music, temporary structures or any other types of unrelated activities it would require a temporary permit.

Ms. Sarko reported the Zoning Commission considered this amendment during their March 31, 2015 meeting and modified it to include a definition of organization, a provision for liability insurance and exceptions for temporary sales and fundraising events.

The Fairfield County Regional Planning Commission considered this amendment during their March 3, 2015 meeting. RPC recommended approval with modifications. Their staff report said "the township should consider better defining the word 'organization' in section 3AA8E3k in order to ensure that the township can easily enforce the one event per organization requirement". In response to RPC's recommendation, the following text was added to that Section "or any related business, entity, or affiliate organized for the same or similar purpose."

Mr. Dunlap had a question about the wording for signage. He pointed out that the amendment states that "no signs shall be placed in any road right-of-way" but another provision allows for two signs at the entrances and directional signs which would need to be in the right-of-way. He suggested that the language be changed. The last sentence in section 3AA8E3l was modified to read "no signs shall be placed in any road right-of-way except for directional signs as approved by the County Engineer, Township Engineer and/or Ohio Department of Transportation."

**Mr. Dunlap made a motion to accept the modified language. Seconded by Mr. Weltlich.** Mr. Myers asked if the trustees had the ability to change the language. Mr. Griggs confirmed that they did and explained that that was what the public hearing was for. **Roll call vote: Mr. Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Motion carries 3-0.**

Mr. Weltlich noted that there were no members of the public attending this public hearing. He asked Ms. Sarko if the township had received any comments from the public about the amendment. Ms. Sarko said they had received none that she was aware of.

Mr. Weltlich asked Mr. Eisel about the need to expedite adoption of the amendment because of upcoming festivities. Mr. Eisel stated that the amendment requires a 60 day period prior to the event and adoption now will allow enough time to get with the Violet Festival and begin their applications for permit, hold any meetings that need to take place, and finalize any planning that need to be done.

Mr. Myers asked if Don Day, Township Building Inspector, would be doing inspections of carnival rides. Mr. Eisel said that it is being determined whether the electrical service

the Violet Festival will be installing is temporary or permanent, but they will have electrical service there for the rides. They will also have a generator on site in case a backup is needed. The rides are inspected by the Ohio Department of Agriculture. Any other inspection needs would be handled by the township staff, if we have the capability or by Township's Chief Building Official. Tent inspections must be done by the building department and the fire department.

Mr. Myers asked if they were going to have temporary power or permanent power coming off of an electric pole. Mr. Eisel explained that discussion was underway with the school. Mr. Myers asked if the power was going to come out of the school building. Mr. Eisel said no, it would not.

**Mr. Dunlap made a motion to close the public hearing at 7:48 p.m. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carries 3-0.**

**Mr. Dunlap made a motion to adopt and approve the recommendation of the Violet Township Zoning Commission as modified by the Board of Trustees in Violet Township Zoning Amendment Number 01-ZC-2015 and Resolution Number 2015-0422-01 as amended. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carries 3-0.**

**Mr. Myers made a motion to adjourn the meeting. Seconded by Mr. Dunlap. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Meeting adjourned at 7:50 p.m.**

Respectfully Submitted,

\_\_\_\_\_  
Brian Sauer, Fiscal Officer

\_\_\_\_\_  
Joniann Goldberg, Administrative Assistant

Approved by:

\_\_\_\_\_  
Terry J. Dunlap, Sr., Trustee

\_\_\_\_\_  
Harry W. Myers, Jr., Trustee

\_\_\_\_\_  
Gary P. Weltlich, Trustee

Date: \_\_\_\_\_