

Violet Township Board of Trustees

February 7, 2018

Public Hearing

**Case Number 08-ZC-2017 -South Hampton Modification
and**

**Case Number 07-ZC-2017 – Modification of Makdrew Planned Business and
Industrial District**

Mr. Dunlap made a motion to recess the regular Trustee meeting at 8:01 p.m. and proceed to the scheduled public hearing for Case Number 08-ZC-2017 (cont'd) and Case Number 07-ZC-2017. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0.

Case Number 08-ZC-2017 (continued from 01/17/2018)

Ms. Sarko reported Mr. Ricketts has requested a continuance until February 21, 2018.

Mr. Dunlap made the motion to continue the Public Hearing for Case No. 08-ZC-2017 until February 21, 2018 at 8:00 p.m. at the Violet Township Administrative offices. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0.

Case Number 07-ZC-2017

An application to modify an existing Planned Business and Industrial District (PBID) filed by Makdrew Development Company LLC/ Jeffrey Baker, 8230 Benadum Road and Steve and Nancy Palsgrove, 8200 Benadum Road for 8.902 acres on the north side of Benadum Road. This application requests modification of the PBID Development Plan and Text in order to: remove a portion of the structures proposed for boat and RV storage condominiums; and to allow: the existing building to be used for a landscape and hardscape company as well as to allow miscellaneous repair of cars, trucks, campers, tools, heaters and construction equipment; creation of additional parking; construction of an equipment storage building; storage bins; and for signage along both U.S 33 and Benadum Road for the businesses operating on the site.

Ms. Sarko reported the property was rezoned from the M-3 District to the Planned Business and Industrial District in May 2010. The original plan called for the continued use of the existing structures on the site, known as Buildings E, F and G and allowed those buildings to be used for C-2, Limited Commercial District uses. In addition to the existing buildings, the remainder of the tract was approved for 161 RV and Boat Storage Condominiums in four buildings, developed in four phases.

The modification now provides for 143 RV & Boat storage units. The removal of the RV Condo units will allow the construction of a building for Columbus Hardscapes, Building "I" and a storage bin, Building "J" for use by Columbus Hardscapes and Baker's Landscapers.

The proposed building, Building "I" will be 7200 square feet and will have a porch that wraps the front corner of the building. The structure will have man-doors and overhead doors. The site plan allows for graveled parking but will have asphalt handicap parking. The approaches to the garage doors will be concrete.

The storage bins are known as building "J" will be constructed of 2' x 4' concrete blocks and will be used for bulk storage of bulk materials (gravel topsoil, mulch, deicing salt, etc.) used on a daily basis. Over two of the bins, there will be a clear span round roof that is open on one end to keep certain materials dry and out of the weather.

Except for the changes to the Development Plan and Text, all other aspects of the Development are to remain the same.

After public hearings conducted on December 19, 2017 and January 9, 2018, the Commission voted to recommend approval of the request to modify the Planned Business and Industrial District. The modification included revisions to the Development Text which were provided to the Trustees in their packets.

Mr. Dunlap asked how many of the current RV condominium units would be removed. Ms. Sarko said seventeen (17). Mr. Dunlap asked if the equipment repair work that will be done on site would be for the businesses on site only or would it be open to the public. Mr. Jeffery Baker, of 8230 Benadum Road, Carroll, Ohio confirmed it would be for Columbus Hardscape and Baker's Landscaping. Mr. Dunlap asked about the size of the signs along US 33 & Benadum Road. Mr. Baker said the signs would be the same size and confirmed the sign along US 33 would be elevated with mounding. Ms Sarko said the development text calls for 4'x8' signs. Mr. Dunlap asked about vegetation along the railroad tracks that might block the sign and asked if Mr. Baker was planning to work that out with the railroad. Mr. Baker said he usually clears that area himself.

Mr. Dunlap asked if the Zoning Commission was in agreement. Ms. Sarko said that the Zoning Commission voted to recommend approval of the modification with a few minor text changes in the development text. The modification did not have to be reviewed by Fairfield County Regional Planning.

Gina Sutphin, 8290 Benadum Road, Carroll, OH said that she and other neighbors had expressed their concerns at the Zoning Commission hearings. Her concerns are noise from equipment at the hardscape company, smells from the mulch and dust from piles of rocks. She said she values the peaceful, quiet nature of her property and does not see how this project would move forward while preserving that. Her husband's occupation as a children's book illustrator and author is why they purposely chose a quiet location for their home and she said their livelihood depends on it. She is also concerned that the storage units near the road will be an eyesore and, along with heavier traffic, the property values of the surrounding neighbors will be affected. She understands that a portion of the plan was previously approved and that cannot be changed. She said that there are a lot of concerns in the neighborhood and the residents are not sure where to go for resolution. Mr. Dunlap had Mrs. Sutphin the location of her property on the map and she described how they use the wooded area on the property. She said she is concerned that a retention pond would cause increased flooding on her property. Mr. Dunlap explained that a retention pond is designed specifically to slow down water so it would not get to her property all at once.

Sheila O' Neal, 8250 Benadum Road, Carroll, Ohio said her property is next door to the property in question. She said she is concerned about her property value being lowered. She said that currently she can look out her window and see open space and she thinks the plan has a lot of buildings that will take away from that. She does not want to look out her window and see buildings. She has a grandchild and is concerned about the pond that is proposed. She said that this is a quiet area and she is concerned about heavy truck traffic making it dangerous for her grandchild to go to the park in the future as well as more dangerous generally for cars.

Mr. Dunlap asked what is new and different from the plan approved in 2010. Ms. Sarko said that Building "J" and "I" in phase 1A are new. She noted there will be screening behind the storage bins. The original plan called for screening along the entire property line.

Mr. Dunlap asked if the storage units out front were approved in 2010. Ms. Sarko said yes. Building I and J were in Phase 1A. She noted there is an existing fence that would enclose and screen the bone yard area and the owners have made provisions to take care of the bone yard consisting leftover materials and to remove trash on a timely manner.

Mr. Baker said that as soon as the weather breaks, he will get back there to get things cleaned up and moved to a fenced area. Mr. Dunlap asked for confirmation that the modification request was removing some of the previously approved RV storage and placing a new building in that location; everything else would be the same as approved in 2010. Mr. Baker said that they were removing 17 RV storage units for a place to put the new building. He said that the O'Neals lived there in 2010 and nothing has changed except that area for the new building. Mr. Dunlap asked if the Board was only concerned with addressing the changes in the proposed new building area. Ms. Sarko said there were also development text changes to allow the change in the plan.

Gina Sutphin said she completely understands that they are just addressing the Hardscapes due to the prior approval; however, it is her understanding that after five years plans need to be reviewed. We are now at seven years and the neighborhood is dramatically different than it was seven years ago and most of the neighbors are new. Her concern is whatever is moves forward, they have very strong concerns and asked if this does move forward does this negate the ability to re-question.

Jenn Huber, Township Legal Counsel said there was also some confusion at the Zoning Commission level. There is a provision in the Planned Business and Industrial Zoning District that addresses a 5 year period. The language is: “the approval of the Zoning Plan shall be for a period of 5 years, or for such other period as set forth in the approved Zoning Plan, to allow for the preparation of the required Development Plan”. It does contain a review process but that is only for a preliminary zoning plan. She explained, what we have here is a Development Plan, so the idea of the five years would be in the event a development plan had not been in place in order to allow time for it to be reviewed. In this case, because a development plan had been filed, there is no five year review period.

Mr. Eisel commented in the beginning Ms. Sarko stated the property was previously zoned M-3. He asked what type of uses M-3 includes. Ms. Sarko said it is Unlimited Manufacturing. Mr. Dunlap said so it was changed from Unlimited Manufacturing to this lesser zoning. If it had been left M-3 in 2010 Unlimited Manufacturing could be in there now.

Mrs. Wilde asked what kind of traffic they would see with this type of business. Mr. Baker said Columbus Hardscapes has about eight employees. His son, Bakers Landscaper has about four or five employees. He said when it was zoned M-3, they had a masonry company and had 165 employees. He noted not all of them were there on site. Mr. Dunlap added that all the traffic came from Pickerington Road and it did not come from the west. Mr. Baker noted the repair business was his ex-mechanic and he was bringing cars in from that east side. Mr. Baker said he has done a major cleanup since then.

Holly Mattei, Development Director commented they have been working with Rob Hewitt with Columbus Hardscapes for the last several months. Mr. Hewitt has an existing business in the Township and is in a position where he does need to move so we are able to work with him to help find a location for him. Mrs. Wilde asked if there was a screening for him all around that property. Ms. Sarko noted there is an existing tree line and the original Development Plan has screening.

Mr. Dunlap asked Ms. Huber to confirm it is the Trustees job with this application to either accept or deny the recommendation of the Zoning Commission. Ms. Huber said under Ohio Law you have 20 days after the Public Hearing to adopt or deny the Zoning Commission’s recommendation for approval with modifications.

Mr. Dunlap made a motion to close the public hearing and make a determination at the next regularly scheduled Trustee meeting. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0.

Mr. Dunlap made a motion to return to the regular scheduled portion of the Trustees meeting at 8:29 p.m. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0.

Respectfully Submitted,

Brian Sauer, Fiscal Officer

Joniann Goldberg, Administrative Assistant

Approved by:

Terry J. Dunlap, Sr., Trustee

Darrin Monhollen, Trustee

Melissa Wilde., Trustee

Date: _____