

Violet Township Board of Trustees

January 17, 2007

Public Hearings

Mr. Myers made a motion to open the Public Hearing for Case No. 11-ZC-2006. Seconded by Mr. Dunlap. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Motion passed.

Case Number 11-ZC-2006

Mr. Weltlich explained there is a situation on this case where the Lancaster Eagle Gazette failed to publish the Legal Notice in a timely fashion; therefore, Mr. Weltlich would like to continue the hearing and set a date for the first regular meeting in February, which is February 7. Mr. Myers made a motion to continue this hearing to the first meeting in February. Seconded by Mr. Dunlap. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Motion passed.

Continued Public Hearing on Proposed Access Management Plan

Mr. Butcher, Township Engineer reported that since the last meeting he has attempted to consider what was discussed at the last two meetings and has consulted with Mr. Yaple and Mr. Anderson and Mr. McCrady at the Engineers office. He passed out a handout that he had prepared with specific changes in Sections 2.4.5 (30 days to 45 days for TIS preparation, 2.10.1 (A change in use shall automatically occur when a change in family occurs or when a Conditional Use is granted), 2.10.2 (consistent and on-going changes in the type or nature of access operation and infrequent, customary and ordinary single-family residential use may be exempted from the change in use criteria as outlined in this section).

Rocco D. Sabatino of 8918 Chevington Chase NW stated through the course of peoples lives things change and the current way the document is written if an elderly couple sold their home and a young couple who was more active moved in they would be an access management violator. He stated we want to head that off and not let that happen. The normal person is not aware of the very low triggers that are in the graph of 20% increase of traffic from their driveway during the peak hour. Therefore, in one trip they are violators. If a residential property actually changes from being a residential property now you have a real and true change of use. With these triggers, you have an artificial change of use. Most of the residents do not really know what these triggers are. Mr. Sabatino passed out what he would say is what would constitute a change of use of a residential property is an actual change. He is saying you might want to call a change of residential use that it actually did change and it did not just change by an arbitrary thing.

There was talk about using the word 'may' in Mr. Butcher's revisions. Mr. Butcher had conversations with Mr. Yaple and the Fairfield County Engineer and they all felt that 'may' gives us an opportunity for evaluation. Mr. Weltlich felt this was ambiguous. It was agreed 'may' would be replaced with 'shall'.

Mr. Dunlap commented he thought Mr. Anderson had stated at the first Access Management meeting that the trigger numbers came from ODOT and were intended to be reflective toward commercial rather than residential. Mr. Butcher agreed. He did not think the word 'shall' would be a problem.

Mr. Dunlap moved to accept the changes that Mr. Butcher presented. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion carried.

Mr. Dunlap made a motion to close the continued public hearing and resume the Regular Session of the Trustee meeting at 8:24 p.m. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carried.

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Respectfully submitted,

Jim Van Kannel, Fiscal Officer

Joniann Goldberg, Zoning Secretary

Approved By:

Gary P. Weltlich, Chairman

Date

Harry W. Myers, Jr., Vice-Chairman

Terry J. Dunlap, Sr., Trustee