

Violet Township Board of Trustees

January 16, 2008

Public Hearing: Case Number 05-ZC-2007 – 7190 Babbert Place

Mr. Myers made the motion to open the Public Hearing for Case Number 05-ZC-2007. Seconded by Mr. Myers. Roll call vote: Mr. Myers, yes; Mr. Weltlich, yes; Mr. Dunlap, yes. Motion carried.

The zoning inspector reported that **Case Number 05-ZC-2007** is an application for rezoning filed by Alec Land for property located at 7190 Babbert Place owned by Linda Hardwick. Mr. Land is requesting to change the existing zoning classification from R-1, Single Family Residential to the C-2, Limited Commercial District for the purposes of a veterinary hospital with dog and cat boarding.

The property is located on the south side of U.S. 33 on the west side of the Hill/Diley Interchange. The construction of the Hill/Diley Interchange and Babbert Lane bisected the property, the majority of the property is on the north side of Babbert Lane, and there is a small area on the south side of Babbert Lane. The larger portion of the property contains one single family home and accessory buildings.

Fairfield County RPC considered this application during its December 4, 2007 meeting. RPC recommended approval of the application. It should be noted that RPC considered this application as an S-2 District. The application requested a C-2 District. Mr. Mako with Fairfield County RPC noted that RPC staff would still recommend approval of the application for the C-2 District.

The Violet Township Zoning Commission considered this application during its November and December 2007 meetings. The Commission recommended approval of the application.

The Violet Township Land Use Plan designates this area for single family use, although the property is surrounded by areas designated for "Business and Industrial Uses" and properties across Babbert Place are zoned for commercial uses.

It was noted that Mr. Land is currently working with the Ohio EPA to determine if the existing septic system is satisfactory for his proposed use.

Alec Land, 7190 Rossman Court stated he was waiting for information from the EPA for a holding tank for animal waste. Mr. Land asked for a continuance of the public hearing.

Mr. Land noted the property is split by Babbert Way and would like to know if he could get access to the parcel.

Mr. Butcher suggested Mr. Land start a dialog with himself regarding access to part of the property.

Mr. Dunlap asked if portion of the parcel touched the cul-de-sac at all or does it touch the property. Mr. Land stated it does not touch the cul-de-sac. Mr. Dunlap stated that Mr. Land needs to find out from the state what consideration was made by the state or what compensation was made for the price of land. Mr. Dunlap stated Mr. Land needs to determine who owns the property between the bubble of the cul-de-sac and the triangle.

Mr. Butcher stated the access management does not allow access to the parcel. Mr. Butcher stated it was not his intent to deny access. The policy is to allow access on the least traveled road. There are provisions in the manual to consider a variance but absent of any plans or dimensions he would be hesitant to grant access to the small parcel.

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Mr. Dunlap stated his concern is they need to know clearly what compensation was provided and he agrees with Mr. Butcher regarding the Access Management Plan.

Mr. Land stated he was just speculating and looking for clarity so he can project for what the land might be able to be utilized.

Mr. Dunlap stated there are some technical issues that need to be answered. Mr. Dunlap asked if the EPA had given Mr. Land any indication of how long it would be before they knew what size holding facility or septic tank they would need. Mr. Land stated he gave his calculations to the Board of Health and he has not yet heard anything. Mr. Yapple stated he should hear something within a week.

Mr. Dunlap asked where he was going to put the holding tank on the existing parcel. Mr. Land stated it would be somewhere in the close proximity of the aeration system.

Mr. Weltlich asked when the contract expired. Mr. Land stated the purchase contract expires the end of March. Mr. Weltlich stated Mr. Land needed to go to ODOT to try and resolve issues with them first.

Mr. Weltlich asked if the adjacent landowners had been notified and how were they notified. Ms. Sarko stated they were notified by mail.

Mr. Weltlich asked about the Zoning Commission meeting minutes for December and asked that the date be corrected. Ms. Sarko stated they would be corrected.

Mr. Weltlich made the motion to continue the Public Hearing for Case Number 05-ZC-2007 to February 20, 2008 at 8:00 p.m. Mr. Myers seconded the motion. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion carried.

Respectfully submitted,

Jim Van Kannel, Fiscal Officer

Joniann Goldberg, Zoning Secretary

Approved By:

Terry J. Dunlap Sr., Chairman

Date

Harry W. Myers, Jr., Vice-Chairman

Gary P. Weltlich, Trustee