

Violet Township Board of Trustees

July 16, 2008

Public Hearing: Case Number 01-ZC-2008 – Application for Rezoning filed by David White for 5.6 ± acres located on the west side of Pickerington, S. of US 33 N. of Benadum Road

Mr. Myers made the motion to open the Public Hearing for Case Number 01-ZC-2008. Mr. Dunlap seconded the motion. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes. Motion carried.

Ms. Sarko explained that Case Number 01-ZC-2008 is an application for rezoning filed by David White for 5.6+ acres located on the west side of Pickerington, south of US 33 north of Benadum Road. Mr., White is requesting to change the existing zoning classification from the M-1, Restricted Manufacturing and the R-2, Single Family Residential District to the C-3, Unlimited Commercial District for the purposes of Site Solutions Contractor's Corporate Offices which includes a warehouse, office space and parking area and outdoor storage.

The subject property is currently vacant. It is bordered on the west by property zoned M-2, on the east by the Eicchorh property which is zoned C-2, Shoff Door Company which is zoned C-2 is located on the east side of Pickerington Road. The properties on the south side of the parcel are zoned R-2, Single Family Residential. There are also two homes on the east side of Pickerington Road which are zoned R-1, Single Family Residential.

The C-3 District is defined as an area wherein any commercial, mercantile or trade activity, either retail or wholesale, including repair shops and garages for storage, painting, repairing, welding and other services for automobiles, trucks, household appliances, motorcycles, and restaurants of all types shall be permitted with the following exceptions:

(a) Yards for storage in the open of obsolete motor vehicles or any other obsolete merchandise or the disassembly of such obsolete merchandise to salvage usable parts or the reduction of such obsolete merchandise to usable scrap shall be prohibited.

This district permits all uses permitted in S-1 (Professional & Commercial Services), S-2 (Veterinary and Animal Hospital Services), C-1 (Local Commercial District), C-2 (Limited Commercial District) and M-1 (Restricted Manufacturing District).

Storage in the open for more than thirty (30) days of materials, debris, tools larger than hand tools, containers, or equipment is not permitted. Upon application by Mr. White, the Board of Zoning Appeals on May 8th granted variances for the following:

1. Variance from the C-3 District frontage requirement to allow a split of the property, where the westerly property will have access to a public street only through a 24-foot permanent recorded easement.
2. Variance to permit the parking and storage of intact and operable items of earth moving and site work equipment including bulldozers, bobcats, excavating machines, dump trucks, scrapers, graders, and similar types of equipment to be parked or stored only in approved locations.

The applicant is also permitted to openly store small quantities of plastic or PVC pipe provided that no pipe is permitted to be stored in a location visible from any location outside of the boundaries of the property.

Violet Township Board of Trustees

July 16, 2008

Storage of junk, trash, debris, traffic control equipment (orange barrels or cones) sand or aggregate, or any other items is not permitted.

Additionally, any items stored outdoors and not moved or used for a period of one year shall be considered to be obsolete and junk and must be removed from the property.

3. A variance to allow a fence higher than six (6) feet. Mr. White is permitted to construct a fence, of natural color, either wood or vinyl up to eight (8) feet in height which would span the entire north, west and south borders of the property.
4. Variance to eliminate the need of designated loading spaces.
5. Relief from the requirement for a sealed surface pavement but required a minimum base of at least six (6) inches of #2 limestone and a minimum compacted cap consisting of at least two (2) inches of #304 limestone.

All variances were specifically conditioned upon the successful completion of rezoning of the property to the C-3 district.

The 2005 Violet Township Land Use Plan designates this property as "Business and Industrial". The land use plan states that where these properties abut active residential parcels, site design requirements must ensure the property to be developed is adequately buffered from surrounding residences.

Fairfield County Regional Planning Commission during its March 4, 2008 meeting accepted staff's recommendation of approval for the proposed rezoning of the subject tract on Pickerington Road. In its recommendation RPC staff stated: "The Fairfield County Future Land Use Plan recommends that part of this parcel be developed with Highway Commercial land uses. The Violet Township Land Use Plan identifies this parcel and all of the surrounding area be developed with business and industrial land uses. The parcel currently has a manufacturing zoning classification and there are existing commercial land uses adjacent to it".

The Violet Township Zoning Commission met in March, April and May to consider this application. The application was amended from the M-3 District to the C-3 District. During its May 20th meeting, the Zoning Commission recommended approval of the request to rezone said land from the M-1 and R-2 Districts to the C-3, Unlimited Commercial District.

Ms. Sarko said that Marci Tuckerman, with Advanced Civil Design and Mr. White were present to address any questions the Trustees may have regarding the application. Mr. Loveland, Township Legal Counsel was also present.

Marci Tuckerman with Advanced Civil Design showed where the fencing would be for this property. She also stated that the equipment lot will be gated off.

Wayne Shoff who owns property at the southeast corner of Pickerington Road and US 33 stated he put his best foot forward in making his outdoor storage facility have a good appearance at the intersection where he is located. Mr. Shoff was against the application.

Mr. Loveland provided some history of the application. He explained that the application had first come in requesting an M-3 District but it was modified to C-3. He explained that variances were approved that apply only if it is constructed as proposed and since the Township does not currently have a Planned

Violet Township Board of Trustees

July 16, 2008

Commercial District this was the next best option. The BZA approached the variances first, and then put the conditions on the variance.

One of the conditions was that the site plan be binding in order to make the variances effective. There were several modifications and changes made, particularly at the BZA level and testimony from the neighboring community. Mr. Shoff was the only objector. Mr. Loveland noted that Mr. Shoff's situation was a litigated situation and there was a resolution to that. Mr. Shoff has all but eliminated the outdoor storage problem.

The outdoor storage is critical to the proposed use of the subject property.

Mr. Loveland explained that Mr. White, the applicant is going to be bringing in sanitary sewer to the site.

Mr. Dunlap asked about RPC's recommendation. Ms. Sarko stated that RPC's recommendation was done before the variance was granted. RPC's recommendation was on March 4, 2008 and the BZA granted the variance on May 8, 2008. The Zoning Commission made their recommendation on May 20th based on or after approval of variances. RPC's recommendation was based on the request for the M-3 District.

Mr. Myers asked if Lot A and Lot B were all one parcel. Ms. Tuckerman said they currently were one parcel but in the future they might be split

Mr. Dunlap moved to close the Public Hearing and render a decision at the next Trustees meeting. Mr. Myers seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes. Motion carried.

Mr. Dunlap moved to rescind the last motion. Mr. Myers seconded the motion. Roll call vote: Mr. Dunlap, yes; Motion rescinded.

Mr. Dunlap continued the public hearing for this application until the next scheduled Trustee meeting to be held on August 6, 2008 at 8:00 p.m.

Mr. Dunlap moved to open the proposed Tax Budget Hearing for fiscal 2009. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes. Motion carried.

Public Hearing: 2008 Budget Hearing

Fiscal Officer, Chris Smith presented the 2009 proposed Tax Budget to the Trustees. Mr. Smith report that the budget needs to be to the County by July 20, 2008. There was a summation page for 2008 estimated and 2009 estimated. This is the general estimated and not the line item budget that will be finalized at a later date.

Mr. Smith stated that 2008 is what it was estimated to be and 2009 would mirror 2008 but our interest revenue is off by a half million dollars. The county said to use 2008 numbers. Mr. Smith stated that we need to consider that maybe in 2010 (the way the housing market is) we need to be prepared that our revenues will drop.

Mr. Myers asked about our 2008 estimated expenditures and the fact that it was almost \$3 million more than 2009. Mr. Myers stated he assumed it was mostly the new building. Mr. Smith stated most of this is the new building but when we transferred money into the capital projects from an accounting standpoint it looks like an expenditure when in reality it is not. It doubles up.

Violet Township Board of Trustees

July 16, 2008

Mr. Myers also asked about 'other financing sources' 2008 and 2009 and if this was Issue 2 money. Mr. Smith stated it was. Mr. Yapple stated that in 2007 it could be money for Mingo Estates as we have not received money from other sources. Busey Road will come into us this year. We had no CDBG funds this year but we will later this year.

Assistant Chief Eisel stated he was comfortable with what Mr. Smith and Ms. Menningen had come up with. He also agreed with Mr. Smith that we will have to analyze our actual receipts received at the end of this year.

Mr. Dunlap made the motion to close the Budget Public Hearing and return to the regular Trustees session at _____ p.m. Mr. Myers seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes. Motion carried 2-0.

Respectfully submitted,

Chris Smith, Fiscal Officer

Joniann Goldberg, Administrative Assistant

Approved By:

Terry J. Dunlap Sr., Chairman

Date

Harry W. Myers, Jr., Vice-Chairman

Gary P. Weltlich, Trustee