

Violet Township Board of Zoning Appeals Special Meeting

October 25, 2018

Ms. Schirtzinger called the meeting to order at 7:30 p.m. and roll was called.

Members present: Mr. Rector, Mr. Collins, Mrs. Gillette, Mr. Kluczynski and Ms. Schirtzinger. Also present was Kelly Sarko, Zoning Inspector and Jennifer Huber, Legal Counsel

Ms. Schirtzinger swore in those wishing to speak. It was noted for the record, that Ms. Sarko was sworn in.

Case Number 02-CU-2018 (continued from October 18, 2018)

An application for Conditional Use Permit filed by Leisa and Eric Benton, for property located at 9149 Hill Road South. Pursuant to Violet Township Zoning Resolution Sections 3A1-02(9) and Section 3AA5, this application requests a Conditional Use Permit in order to conduct a home occupation from the property located at 9149 Hill Road.

Eric Benton and Leisa Benton 9149 Hill Road South, Pickerington, Ohio acknowledged they were sworn in. Mrs. Benton said they wanted to address some of the concerns that were brought up by the neighbors. Mr. Benton spoke about the septic tank and said there was a concern stated about six bedrooms and overuse of the septic system. He said he did some research online. He had a chart that showed septic tank pumping frequency. They have a larger unit that had to be special ordered. It is a 2,000-gallon unit and it has the frequency of years based on the number of people. Even if it were 10 people all the time, 7 days a week for that large of a unit it would be about a 2-year turnaround that would have to be pumped with a 2-year frequency.

Ms. Schirtzinger entered the septic system chart into the record as Exhibit "A".

Mrs. Benton said another area of concern was the distance from their houses and the size of the easement (in Villages of Sycamore Creek). Mr. Benton said it is approximately the size of a football field away from their home. He presented photographs to the Board. A football field is 160 feet x 350 feet on the long side and there is more than that with the easement.

Ms. Schirtzinger entered the photos of the southwest corner of the property as Exhibit "B" and noted the chart for the Septic System is Exhibit "A".

Mr. Benton said that another concern was about their driveway and their closest neighbor being able to hear the Benton's garage door opening. Mrs. Benton said when the parents pick up they would not be going through the garage door. There was another concern about light. Mrs. Benton showed a picture of some of the trees that would prevent the light, and said they have plans to include more trees.

Ms. Schirtzinger entered Exhibit "C" into the record, which is a photo of the existing trees on the property.

Mr. Kluczynski asked where the pickup point would be for the children. Mr. Benton said they would be going through a man door.

Ms. Schirtzinger entered Exhibit "C-1" which is a photo of the driveway and Exhibit "C-2" which is a photo of the man door from the driveway.

Mrs. Benton said another concern from their neighbors was the weeds. She showed what they have done within the last week. Their previous testimony was to have everything done by November 3rd so she just wanted to show what they have done. Mr. Benton said that according to the County record it has looked like this for a long time.

Ms. Schirtzinger entered the photo of Benton's cleared property as Exhibit "C-3"

Mrs. Benton wanted to address the traffic concerns as far as going in and out of the driveway and said the parents would not be able to see because of the hill and they said the parents would not be able to see the cars coming. Ms. Sarko said the City of Pickerington maintains this right-of-way.

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Ms. Schirtzinger entered the photo of Hill Road from the Driveway into the record as Exhibit "C-4" and a photo of the driveway from Hill Road as Exhibit "C-5".

Mr. Benton said that they contacted the Village of Sycamore Creek HOA, Tina Carter, previous director of the HOA, before they moved in to let them know they would be moving in and to let them know they would be doing some landscaping. She said she sent them a courtesy email about a year ago. Mrs. Benton said they contacted Don Day and he emailed them the requirements for the Type A home. They also contacted the Fire Department to give them a heads up as well to see if there is anything they can do during the building stage to prevent having to do something down the line once they inspect it. The Benton's will also have emails from Don Day as well as the HOA entered into the record as Exhibits.

Mr. Collins asked if they contacted the Fire Department during or prior to building of the house and he asked if they had any concerns. Mrs. Benton said she contacted them during the building and she was asking questions on the building form that related to the Fire Department. She said they have to have a fire inspection before they are licensed for a Type A home through the ODJFS.

Mr. Collins asked if when they contacted the HOA did they tell them their intent to have a daycare or just about the landscaping. Mr. Benton said he did not specifically recall putting in anything about the daycare, as it was just an introduction email that they would be moving in.

Ms. Schirtzinger wanted to confirm that where they are now, it is not part of the HOA. Mr. Benton said that was correct but they do own a home in the Village of Sycamore Creek that is a part of that HOA.

Ms. Schirtzinger asked what the source of the data they got regarding the septic system and where they obtained that information. Mr. Benton said it was from the Internet.

Mr. Rector asked if they had reached out to the Health Department to have them issue any type of determination on whether this use would be appropriate for the size of their septic system. Mr. Benton said he did not. Mrs. Benton said that with ODJFS they do require notification that there is a septic tank. She said as far as she knows, they do not inspect septic tanks. She said she knows that ODJFS inspects the grounds so if there were something wrong with the ground they would definitely notify them. ODJFS looks at the wells and they require the Health Department to check the water at least once a year.

Ms. Schirtzinger asked how often the ODJFS checks the property. Mrs. Benton said they are required to check on a Type A home twice a year. Both of them are unannounced. If there are any complaints, they are required to check on it unannounced. They also walk the grounds.

Mrs. Gillette explained they saw the pictures that showed the lawn area has been cleared of weeds. Mrs. Gillette asked if the landscaping would be meeting the November 3rd projection for completion. Mr. Benton said it should be on target. Ms. Schirtzinger asked if they wanted to address additional trees. Mr. Benton said they know for sure that they will be putting in five additional trees. Two are proposed for the garage side to give additional coverage. On the opposite side, there are gaps that can be filled in. Mr. Benton showed the locations on the drawing.

Ms. Schirtzinger entered the drawing as Exhibit "F" and the scope of work/estimate showing plant material quantities as Exhibit "G".

Mrs. Benton said in conclusion they have been in the Pickerington/ Canal Winchester area for a long time and they want to make sure they have a good relationship with their neighbors. It is not their intent to be a menace nor do they want to cause harm or be a burden to them.

Jeff Rice, 9235 Hill Road south, Pickerington, Ohio said with regards to the sanitary sewer, he did not have a graph but he had been in contact with Fairfield County Board of Health and had spoken several times to Kelly Spindler who is the Director of Environmental Health. He feels that it shows that the knowledge of well, septic and a public sewer system is not quite understood. He

said Fairfield County bases everything on the occupants of the home or the zoning of the home. He said

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this home was zoned for a 4-bedroom residential home. Every home along that strip has a 2,000 or 2,500-gallon septic tank or aerator. The difference between an aerator and a septic tank is only one thing; it has a fresh air pump that brings in and helps break down solids. He asked where the septic tank waste would go. He said it goes to your leech bed and overuse of your septic tank it is designed to hold so much water and waste and the rest goes to your septic or leechbed. The leeching systems are considered very shallow. Too much saturation causes things to percolate. That being said, when Fairfield County approved the well and septic and leechbed for this home it was based on a 4-bedroom residential home. They base that on 480 gallons of use per day, 120 gallons per bedroom; assuming that there are two persons in each bedroom at 60 gallons each per person. Now we are talking about additional care for these folks. He said the Benton's intent from the very beginning was to open up a class A childcare facility. Why weren't the variances brought up before they built the home, or invested this large amount of money. He believes the variances should have been in place from the beginning.

Mr. Rice said there were other issues about the traffic patterns, trees, fences etc. There was also conversation about the driveway in and out of the house and sufficient room to turn around in the driveway. He said the driveway is 12 feet wide and at the last meeting, Mr. Benton said it was enough room for the car to enter, and a car to exit at the same time. He said a Honda Civic is 5'7" wide. Two cars are not going to go down a 12-foot driveway at the same time (one in one out). Mr. Rice referred to the application form, number 9, where it says the property is currently zoned as a single family home. The home is over 4,100 square feet of useful space that sits on over one acre of privately owned land not located inside a residential community. He did not understand how it is not a residential community.

Secondly, Mr. Rice said on the Conditional Use Permit application, number 7, it says the Benton family has been a long term resident of both Pickerington and Canal Winchester areas and states we lived in Village of Sycamore Creek for 10 years and built our new home with the expressed intent of operating a Type A daycare out of it with more land. The home was constructed with dedicated oversized areas for a daycare including kitchen, full bath, storage, large outdoor play area. He feels that everything is after the fact. He said they have to consider the residents and impacts to existing owners. He said he knows what it is like to live next door to someone for 28 years. He said there were seven kids next door. He said he objects to the daycare and feels it is an inexpensive way to open a business. He said they were there first and built their home to escape developments

Mrs. Gillette asked Mr. Rice about the old neighbors that had seven kids. Mr. Rice said they were his next-door neighbors and their septic tank smelled all the time. He said the leaching is what causes the smell. He said when septic tanks are pumped it leaves the bad bacteria. He said there was a similar situation in Jefferson Farms (Woods). He said he has spoken to the Trustees and State Representative. He said they built a beautiful home and their lot should have been his but his parents sold the property. He said this should not be permitted.

Don Rector asked if he had any evidence to support that he spoke to Kelly Spindler. Mr. Rector said they have to make a decision based on the evidence submitted.

Mrs. Gillette asked Ms. Sarko if the Board of Health had contacted her and they had not, only people that have contacted her are the people interested in the application.

Ms. Schirtzinger noted the applicants cannot ask for a Conditional Use Permit if there is nothing there. They can choose to build the house and if it meets all the requirements but they cannot ask for a conditional use for something that is not there. Mr. Rice asked why Mr. Kluczynski asked the same question. Ms. Sarko said cannot have a Conditional Use Permit for Home Occupation without a house. Ms. Schirtzinger explained the application process, and that one application needs to be considered before the other. She said that she appreciated their research and their time.

Alison Rice of 9235 Hill Road NW, Pickerington, said she spoke with the State Fire Marshall today and they said they had no knowledge of this. They said until the Board makes their decision then they will go in and inspect the property and say what they feel is required. Her concern is that the driveway is too narrow. When someone is pulling out of the driveway and a fire medic is trying to

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get in it will be a nuisance. She said there is no adjacent parking at all in the area. She said there could be a pile up of cars.

Frank Sainato, 301 Fairfield Drive, Pickerington, said he was fascinated by the fact of not bringing it up before they invested a large amount of money. He said the Benton portfolio did not need a Plan B. He just cannot comprehend the cost to the neighborhood and the cost to the individual homes. He said property values will go down. He said the inexcusable lack of community concern is incomprehensible. He said it will have a heavy carbon footprint. He said they purchased a premium lot and home for their retirement. This business will bother the residents and it is a hardship to them. He feels the integrity of the community is being invaded.

Kathleen Sainato, 301 Fairfield Drive, Pickerington, Ohio said she was sworn in. Mrs. Sainato said she had a prepared statement. She said she was here as an adjacent property directly affected by case numbers 02-CU-2018 and 29-VA-2018, which she is opposing. She was present to prove hardship on her husband, herself, the retirement home they built in 2015 and the lot upon which it sits. She said her home is located 100 yards from 9149 Hill Road South. The green space, not the electric easement, between them, house to house is 100 yards. She said it is typically the case when a residence is rezoned to a business that the area homes drop in value. Her husband is 86 and they have "been there, done that" and they specifically built this home on their little postage stamp paradise to enjoy. Their retirement home was built three years ago and in those three years, they have added \$30,000 to the interior and exterior. As a realtor with 30 years' experience, three years does not merit equity in the amount of \$40,000 that they will lose and that is a hardship. This will be a direct hit to them financially now and in the future, if they try to sell. If both these case numbers pass. She said she and her husband both attended the Ohio State University and he was drafted to fight in the Korean War to defend our country. Upon his return, he opened a community pharmacy that sustained three generations in almost 40 years. During this time, he served his community on City Council, and there were many incidents over the years where young mothers with infants could not afford the prescribed medicine nor Senior Citizens could afford the cost of their Rx. It was this compassionate pillar of the community, that simply gave them what they needed saying pay when you can. She said she brings this up because Mr. Sainato is now 86 and a Senior Citizen on a fixed income so losing \$40,000 and home ownership to a variance is surely a hardship without compassion for the man that helped build this community.

What they paid at his age or hers is striking financial hardship. This means so much more to them than a challenge to standing and it is important to note this hardship would force them to personally suffer irreparable financial damage simply by being next-door neighbors regardless of the use of this building meant to be a Type A in-home daycare that indeed would create direct disruption.

She asked how can you pass an application on one home that will inevitably place financial damage by way of home deprivations for the majority. Where is the equality for justice in that decision? She said a daycare in a residential, meaning right next door to her home in a residential area 100 yards away creates interference with others meaning noise, property rights. By that she means if the leechbed drains into their front yard as depicted in the picture the Benton's drew, next to the hill which is green space and next to her house it is going to drain down the hill and surely onto her property. She was concerned about the odor this creates. She looked it up online and found that a septic system fumes are wicked blends of various gasses that pose as detriments to your health and safety. She said she has grandchildren as young as 4 years old that visit her that play outside. First, there is methane, which could cause an explosion when ignited and even affixation when inhaled too much. Sulfide gas is one of the septic system fumes that irritate your nasal passages because it does smell like rotten eggs. Also, she was shocked to read that airborne bacteria is also present in the septic system which is detrimental causing respiratory

infection and spores of mold that could also be carried by septic system fumes that could cause harm to your home, as well to your respiration.

She said a daycare also shows special interference with adjoining properties like hers that there would be increased traffic. She also wanted to mention they never really heard the actual hours of pick-up and drop-off. It was not completely decided yet as to what the operating hours are going to be. The noise will definitely interfere with nuisance requirements compliance, another hardship. So the questions is; how can she and her husband possibly enjoy their retirement home while

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outside during three seasons of the year, entertaining guests again to include their neighbors, this is quality of life and the pursuit of happiness and their golden years, that they; pillars of this community with stellar reputations have worked so hard for over the course of their lives, a hardship indeed. What assures them a right to privacy and quiet time? Are there specific recess times? How do they know if they are not informed? The zoning power to the oppressed neighbors located on both sides of said property as well as across the street certainly warrants merit.

She said she was told upon entering the Zoning Office building for the first time to review the application, since she didn't receive notification in the first place, by Kelly Sarko that this is a done deal. She does not know why they are here as it is not necessary for her to be here. Mrs. Sainato said she went home to do her homework to find out why this was already a done deal. She wanted to know how they protect themselves and their constitutional rights as property owners if before a hearing comes to fruition they were told it's a done deal. Ms. Sarko strongly objected, and said she has never told anyone that any application was a done deal and that she does not make the decisions on these applications. Ms. Huber asked if she had any evidence that Ms. Sarko said that. She said the secretary at the front desk was sitting there when it was said.

Mrs. Sainato continued, there is a conflict of interest and that specifically her husband and she built their retirement home, purchasing the premium lot, meaning costlier than all the other lots in Sycamore Creek facing the pond to enjoy its beauty, the geese and sunrises. They did not build to live directly next door to a daycare or any other business for that matter. Again, she said this is an emotional hardship. So to introduce a property from residential to commercial profit is an inconsistent use and would change the already framework set forth to families in the Sycamore Creek area. She said she hopes to hear solid evidence that: 1. they already heard about the landscaping; 2. the education and surveillance of the sewage and leech system have been completed and looked after properly with accountability and possibly quarterly checkups; 3. the fencing issue is addressed before voting on what kind of security fence for the children; 4. specific hours of operation were unclear. She would like to ask the Zoning Committee what is to prevent the ripple effect of a zoning application for Conditional Use as well as variances for future businesses next to her home. Is there a limit and where does it end for retired homeowners to protect their property from this financial damage. Could it be a bakery, a medicinal marijuana business or even an in-home tattoo parlor? Will there be any proposed changes to a Type A Daycare business in the future and will they be notified? Will the neighbors be notified in changes of occupancy as the business grows over time or change of fulltime hours of operation on weekdays in the future? Her hope is that before voting the panel will consider the resident's words of hardship and concerns, stress and the impact it has upon them.

She said on the Violet Township website it states that the Zoning Department serves the community by protecting residential standards and property values for Township residents. It is her belief that you will serve the community and some that speak tonight and have stake in protecting all their property values, quality of living conditions to include weekends outside on their patios. This application is a direct conflict with property owners who live directly next door, in front of or behind said property.

Ms. Schirtzinger stated the property is not being rezoned. It is the Conditional Use to allow them to be able to use this property as they have described only by the applicant. If they were to ask for a change in the Conditional Use there would have to be another hearing and all the adjoining neighbors would be notified.

Mr. Collins said that any other residents of the Township want to apply for a Conditional Use they can apply for whatever type of home occupation they wanted. A conditional use is required for any person that wants to operate a lawn mowing service, sell Avon or conduct a real estate business from their home.

Mrs. Gillette made a motion to take a 5-minute recess at 9:17 p.m. Mr. Kluczynski seconded the motion. Roll call vote: all ayes.

The board reconvened at 9:26 p.m. All were in favor.

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Teresa Golden, 382 Sycamore Creek Street, Pickerington, Ohio said she was present because she just got wind of this application request this past week and she lives in the community. She said she was extremely disappointed that the whole community was not notified. She found out about this from social media. Ms. Schirtzinger interrupted for a moment and asked about the notification requirement. Ms. Sarko stated they are only required to notify residents who are within 500 feet of the property. Ms. Golden said this is going to bring down their house values is going to be a hard hit. She has concern about noise. She wonders if there will be a school zone where you have to go 20 M.P.H. Mr. Collins explained that their intent was to have daycare after 6 p.m. on Friday and as late as 6 p.m. on Sunday. Ms. Schirtzinger said they would take toddlers 18 months to 3 years old and preschoolers 3 years to school age. They can have no more than 12 and they were looking at about 10. She was also concerned about the safety with the fire trucks being able to get up their driveway. She thinks it would be difficult for a fire truck to make a turn into their driveway, as they are in excess of 8 feet.

Erica Leighton, 309 Fairfield Drive, Pickerington, wanted to address the green space issue. She said they live directly behind the Benton's and they share the green spaces between them. At the last meeting, she stated she didn't believe the Benton's should be able to use the green space directly behind their home and she stated it belonged to the HOA and they were not part of the HOA. She said the applicants rebutted stating they owned a property in Sycamore Creek that they rent out and they pay the HOA dues for that rental property which permits them to use the green space. She said she would argue that regardless of who pays the HOA fees, that permits the renters who actually live in the community to use the green space and other amenities. She said agreeing to the Benton's argument would also allow them to use their community pool and just because their property is adjacent to Sycamore Creek does not allow them to use their amenities. She stated if the board allows this variance it would be burdening all of the neighbors to wage battles they should not have to because this childcare facility is not appropriate for this residential house at that location on Hill Road and indirectly the board's decision would affect all of them.

Mrs. Leighton said one hardship for her family would be the noise. They have spent a lot of money on making their backyard beautiful and welcoming and 10-12 children running around would infringe upon their privacy and outdoor enjoyment. More importantly, a greater hardship would be the property value decreasing. Mrs. Leighton also said she did a lot of research on daycares decreasing property values. She quoted the Township's welcome page the very first sentence says: "The Zoning Department serves the community by protecting residential standards and property values for Violet Township residents." Ms. Schirtzinger said the Board of Zoning Appeals and zoning is not just for residential. It is for all the zoning within the Township including commercial and industrial as well. Mrs. Leighton said if this was approved, it would be going back on their own words and not protecting the residential standards and property values. Mrs. Leighton also referred to the website where it says: "The Zoning Department is to protect property values and preserve the character of the community." She said approving this variance is not protecting their property values.

Ms. Schirtzinger entered the article from the internet provided by Mrs. Leighton into the record as Exhibit "H".

In closing, Mrs. Leighton said the business that the Benton's want is not appropriate for the location. It is on a busy roadway and not capable of handling excessive traffic every weekend. Their backyards are peaceful. To allow them to run a business of this type out of it will transform the area into something that no one living in the area wants or expected when they bought their

homes. It will decrease property values. The Bentons did not seek anyone's input or approval for the business before major construction for a reason because, in her opinion, they knew it wouldn't be well received. She asked that the board not grant them permission simply because they have invested thousands of dollars in their construction.

Mr. Collins asked if they were living in their house when the Rices said the family next door had seven kids. Mrs. Leighton said they moved in their house in 2009.

Jeff Rice, 9235 Hill Road, Pickerington said the board had mentioned that any changes in the Conditional Use if it was approved, that they would have to come back to the board for the change.

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If they wanted to extend the number of hours they are open and Mr. Rice wondered how that would be reviewed. Mrs. Gillette said they would have to come back to the board for a modification of a Conditional Use Permit. He asked who would be policing that after the fact. Ms. Sarko said the Township would or people who see something happening would call in to complain. Mr. Collins added that the OJFS would also be monitoring the business as well and they have to stay within the guidelines for the license. Ms. Schirtzinger noted the hours that were stated by the Bentons.

Ms. Schirtzinger asked the Bentons if they would be willing to install a fence if that was something the Board asked them to do. Mrs. Benton said they would.

Eric Benton said the driveway was not 12 feet wide it is 14 feet wide the entire length except for the apron where it is wider. The apron at Hill Road is about 16 feet. He said they did put an oversize-parking pad to not only come up and do a u-turn but also where the parents would go in and drop off the child there is parking available. Mr. Benton wanted to note that when he contacted the Director of the HOA at the Village of Sycamore Creek, he said they have a dedicated playground area and they have no intentions of using that green space for a play space. Mrs. Benton added that the Fire Department could use the land if they needed to turn around on it.

Mr. Collins stated Mrs. Benton has been around nurseries and daycares for a long time and he asked why she decided to have a daycare at her home and during these hours. Mrs. Benton said she has been in the daycare field for over 20 years as a teacher, a substitute to a licensing specialist for the State of Ohio for 12 years and currently she contracts with daycare centers to go over the rules and requirements and a lot of the daycare centers in Violet Township. She is well versed in the rules and the law. Her dream as far as services for families and she really wants to provide quality care. This has been her passion and she has noticed that there is a need for quality weekend services.

Ms. Schirtzinger wanted to make sure what she quoted about the age groups was correct. Toddlers (18 months to 3 years) and Preschoolers (3 years to school age). Mrs. Benton said that was correct. She said they want to group together to pretty much be the same age.

Mrs. Gillette said they had indicated last week that if this application was successful and the business was successful would seek to move the business to a commercial property. Mrs. Benton said it is their intention to follow all the rules and guidelines that the Zoning Board puts on them.

Mrs. Gillette asked Ms. Sarko if outside of the private individuals that have expressed concerns have any professional entities reached out to her. Ms. Sarko said no.

Jeff Rice, 9235 Hill Road South, Pickerington, Ohio said the comment about allowing a heavy rescue vehicle to make a turnaround in their front yard and he said their leech bed, septic system is in the front yard. Vehicles weighing at the capacity will crush that leech bed and will probably have the heavy rescue stuck in their yard.

Eric Benton, 9149 Hill Road said under a scenario if a child's life is at stake, the equipment does not matter. He said there is adequate space to turnaround.

Mr. Kluczynski made the motion to enter into private deliberations at 10:00 pm. Seconded by Mr. Rector. Roll call vote: Mr. Kluczynski, yes; Mr. Rector, yes; Mr. Collins, yes; Mrs. Gillette, yes; Ms. Schirtzinger, yes. Motion carried.

Mr. Kluczynski made the motion resume the meeting. Seconded by Mr. Rector. Roll call vote: all ayes. Meeting resumed at 11:05 p.m.

Ms. Schirtzinger explained the Board would be voting on the Conditional Use part of the application and the variance application would cover the Class A.

Mr. Kluczynski made a motion to close the Public Hearing for Case Number 02-CU-2018. Mr. Rector seconded the motion. Roll call vote: Mr. Kluczynski, yes; Mr. Rector, yes; Mr. Collins, yes; Mrs. Gillette, yes; Ms. Schirtzinger, yes. Motion carried.

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Mr. Collins made the motion to approve Case No. 02-CU-2018 as submitted, in accordance with Section 3AA5-02, for not more than five (5) students or receivers of service at any one time. Mr. Rector seconded the motion. Roll call vote: Mr. Collins, yes; Mr. Rector, yes; Mr. Kluczynski, yes; Mrs. Gillette, yes; Ms. Schirtzinger, yes. Motion carried.

Ms. Schirtzinger explained due to the time they need to continue Case Number 29-VA-2018. She noted the variance application needs to be amended to include a variance from Section 3AA5-03(H) to allow non-family members and non-residents of the dwelling to participate in the home occupation. Ms. Huber further explained that because they are having two non-family, non-resident employees this is an additional variance they need to seek. If they would like to amend their existing variance application to include the second request, they can do that. Currently, their variance application only requests for 6 to 12 children. All they would need to do is to tell the Board they would like to amend their variance application to include a second variance for the two non-residents, non-family member employees. Mr. Benton said they wanted to amend the (variance) application to include a variance from 3AA5-03(H).

Mr. Kluczynski made the motion to continue Case Number 29-VA-2018 to a Special Meeting on the regular meeting date on November 15, 2018 at 7:30 p.m. at the Violet Township Administrative Offices. Mrs. Gillette seconded the motion. Roll call vote: Mr. Kluczynski, yes; Mrs. Gillette, yes; Mr. Rector, yes; Mr. Collins, yes; Ms. Schirtzinger, yes. Motion carried.

Ms. Schirtzinger made a motion to hold a Special Meeting on November 15, 2018 at 7:30 p.m. at the Violet Township Administrative Offices for the purposes of continuing the public hearing for Case Number 29-VA-2018. Mr. Kluczynski seconded the motion. Roll call vote: Ms. Schirtzinger, yes; Mr. Kluczynski, yes; Mr. Rector, yes; Mr. Collins, yes; Mrs. Gillette, yes. Motion carried.

Mr. Rector made a motion to adjourn the meeting at 11:17 p.m. Mr. Kluczynski seconded the motion. Roll call vote; all aye. Meeting adjourned.

Respectfully submitted,

Donald Rector, Secretary

Cathy Schirtzinger, Chair

Date: _____