

PRAIRIE TOWNSHIP BOARD OF ZONING APPEALS

Minutes of November 14, 2006 Meeting

Members Present: Mark O'Loughlin, Bill Gallaer, Jan Pitts, Lee Shoaf and Betty Danish

Members Absent: Christy Overla and James Lee

Others in Attendance: Connie Swisher, Dana Scott and Molly Mooney (Zoning Department)

The meeting was called to order at 7:00P.M.

Jan Pitts moved to accept the minutes of the October 10, 2006, meeting. Bill Gallaer seconded, the motion carried unanimously.

Chairman, Mr. O'Loughlin swore in those present wishing to speak at tonight's meeting. Explained to those in attendance how the public hearing would be conducted.

New Business: Variance Application No. 502-VA-06

Applicant: John Clarke, 337 Lennox Avenue, Columbus, Ohio 43228.

Owner: John Clarke, 337 Lennox Avenue, Columbus, Ohio 43228.

Location: 337 Lennox Avenue, Columbus, Ohio 43228

Request: Applicant is requesting a variance from Section 937 to allow the construction of an accessory building in a residential district with greater height than the resolution allows.

Ms. Swisher presented the facts of the application to the Board.

Mr. Clarke, explained to the Board that he needed extra room for storage and his cars are currently parked outside on the property.

Mr. Gallaer, asked if the structure was a two story plan and if the inside had an upper deck?

Mr. Clarke, explained that the building had an upper deck that would be used for storage.

Ms. Pitts asked if the upper deck would ever be used for a business or additional residential living space?

Mr. Clarke, replied that it would not.

Mr. Gallaer, asked if the applicant had looked into any issues concerning the drainage from the garage?

Mr. Clarke referred to his father who explained that there was a smaller building they tore down in the same location proposed for the new structure.

Chairman, Mr. O'Loughlin asked if there was anyone who wished to speak against the variance.

James Sizemore 236 Lennox Ave. asked the Board to confirm that the building would not be used for a business.

Mr. Clarke, Stated for the record that there would be no business use or living quarters in the accessory structure.

Motion: To grant the variance request from Section 937 as submitted with the following stipulations;

- 1) ***Garage is not to be used for a business use.***
- 2) ***Garage is not to be used as a dwelling for residential living quarters.***

Motion by: Jan Pitts

Seconded by: Bill Gallaer

Recorded Vote: Bill Gallaer -For
Lee Shoaf- For
Betty Danish- For
Vice Chairman, Jan Pitts – For
Chairman, Mark O'Loughlin - For

Motion passed unanimously.

49 Cole Rd. 2 Applications A) 161-CU-06, B) 503 VA-06

A) Conditional Use Application No. 161-CU-06

Applicant: Floyd Travis, 49 Cole Road, Galloway, Ohio 43119

Owner: Floyd Travis, 49 Cole Road, Galloway, Ohio 43119

Location: 49 Cole Road, Galloway, Ohio 43119

Request: The applicant requests a Conditional Use from Section 1535 #1 To build an accessory structure with the 500 year floodway fringe.

Ms. Swisher presented the facts of the application to the Board and gave information from Franklin County Floodplain Coordinator.

Mr. Travis, explained the pole barn will provide additional storage space for the tractor and mower and give him a place to do woodworking and allow vehicles to be parked inside the existing garage. They are currently being stored outside in the driveway.

Mr. Gallaer asked if it would be used for a business use.

Mr. Travis, said no, it would strictly be for my personal use.

Mr. O'Loughlin asked if anyone else would like to speak for the conditional use, would anyone like to speak against it?

Mr. Dennis Mishne, 6506 Alkire Rd. spoke and addressed concern on runoff from construction going in to the stream behind the parcel. What kind of measures would be put in place to protect the stream since it is in the Darby Creek Watershed? Regarding sediment run-off.

Mr. Travis, Drainage flows to the front and goes to the ditch.

Chairman, Mr. O'Loughlin, During construction do you plan to place a mud fence?

Mr. Travis, Yes I can that's no problem.

Motion: To approve the conditional use permit from the provisions of Section 1535, to allow the owner to construct an accessory building located within the floodway fringe with the following stipulation.

1) *The owner is to use a mud fence during the construction of the accessory building to keep any runoff from reaching the Hamilton Ditch.*

Motion by: Jan Pitts

Seconded by: Betty Danish

Recorded vote: Bill Gallaer: For

Betty Danish: For

Lee Shoaf: For

Vice Chairman, Jan Pitts; For

Chairman: Mark O'Loughlin-For

Motion passed unanimously.

B) Variance Application No. 503-VA-06

Applicant: Floyd Travis, 49 Cole Road, Galloway, Ohio 43119

Owner: Floyd Travis, 49 Cole Road, Galloway, Ohio 43119

Location: 49 Cole Road, Columbus, Ohio 43119

Request: Applicant is requesting a variance from the provisions of Section 937, to permit the owner to construct an accessory building taller than the resolution allows.

Chairman, Mr. O'Loughlin, asked Mr. Travis to state for the record if the building would be used for occupancy at all? Why do you need the height variance?

Mr. Travis, It will not be used for any residence and I need to put a taller door in for my RV.

Mr. Dickson, next door at 85 Cole Rd. Spoke in favor of the variance stating that the height of pole barn would not be a problem with them.

Motion: To grant the variance request from Section 937 as submitted with following stipulations;

- 1) ***Garage is not to be used for a business.***
- 2) ***Garage is not to be used as a dwelling for residential living quarters.***

Motion by: Jan Pitts

Seconded by: Bill Gallaer

Recorded vote: Bill Gallaer: For

Betty Danish: For

Lee Shoaf: For

Vice Chairman, Jan Pitts: For

Chairman: Mark O'Loughlin

Motion passed unanimously.

Conditional Use Application No. 162-CU-06

Applicant: The Church in Galloway, (Brent Bond) 6370 Alkire Road, Galloway, Ohio 43119

Owner: The Church in Galloway, P.O. Box 533, Galloway, Ohio 43119

Location: 6370 Alkire Road, Galloway, Ohio 43119

Request: Applicant is requesting a conditional use permit from the provisions of Section 1535, to permit the owner to construct a driveway/access to be located within the floodway fringe.

Ms. Swisher presented the facts of the application to the Board and provided additional information from other agencies. The Church obtained a N.F.I.P. permit from Franklin County for the floodplain work. A general permit for storm-water from Ohio E.P.A. associated with construction activity. Through Franklin County Soil and Water Conservation District the church has established an eleven acre conservation easement on this 22 acre site that will include a six acre riparian forest buffer.

The parcel is located in Tier 1 on the Big Darby Accord. Tier 1 includes 100 year floodplains, wetlands, and in-stream habitat areas.

Brent Bond, Pastor representing The Church in Galloway spoke and gave a brief history on the congregation's plans with the property. Now the conservation easement is being proposed at 15 to 17 acres. The Church would like to keep it very scenic.

Roy Decker 6375 Alkire Rd. How far from Hellbranch are they putting the church? Are you going to have sewer for the church.

(Chairman shared copy of map)

Mr. Wolfe, engineer for project explained. The church will be built approximately 600-700 feet from Hellbranch. Drainage will be on-site ponds and the church will have a septic system.

Mr. O'Loughlin, Chairman requested staff make copies of documents in file for neighbors. Anyone wanted to speak against?

Dennis Mishne, 6506 Alkire Biologist for E.P.A. asked how much of the driveway will be in the floodway? What time of year are you planning on the construction? If it's done during the winter months, bare dirt exposed to the elements will create run-off to the creek we are trying to protect I want to make sure it will be done during a time when it can be covered over with something, seeded, vegetated to hold the soil in place.

Mr. Wolfe, answered that silt fence is proposed all along the area.

Mr. Mishne, asked if he would be the one responsible to make sure the silt fence is adequately in place at all times?

Mr. Wolfe, said No he does the design and the Church would be responsible.

Mr. Mishne, asked how wide of an area will they have to cut down trees?

Mr. Wolfe, Approximately one hundred feet.

Mr. O'Loughlin, Chairman requested he review the conservation easement that is being proposed on the site.

Mr. Mishne, stated his purpose for coming tonight was to make sure that the church was going to be as environmental friendly as possible especially during construction to keep sediment from reaching Hellbranch.

Kyle Wilson, Franklin County Soil and Water, Franklin Soil and Water are not for or against the Church's variance request. But what they have done is a well thought out effort to conserve everything else that they don't to use to construct the church. They are going to work with us during the clearing of tree's to make sure they don't impact the creek. The open space on the site will be put into permanent protection and fully restored with tree plantings and prairie plantings. It is in the Tier 1 on the Big Darby Accord however they will impact it a little during construction but overall on the whole as they put in the conservation and restoration for long term they should really be doing a service to the community. As an entire project they are increasing water quality and helping the situation as opposed to its current use.

Mr. Decker, Asked if they had taken heavy and fast traffic into consideration. Bad intersection at Bausch and Alkire.

Mr. Wolfe, stated the drive was placed as far west as they could put it.

Motion: To approve the Conditional Use application as submitted with the following stipulation:

- 1) The owner is to continue to work closely with the Franklin County Soil and Water Conservation District on a weekly basis during construction to make sure no environmental issues arise with the construction and follow the development standards in the Big Darby Accord.***

Mr. Shoaf, asked where the water in the retention ponds was coming from?

Mr. Wolfe, Some from the driveway but most storm-water will be from parking lot and we will put a dry hydrant in there.

Motion by: Jan Pitts

Seconded by: Betty Danish

Bill Gallaer-For

Lee Shoaf-For

Betty Danish-For

Vice Chairman, Jan Pitts – For

Chairman, Mark O'Loughlin – For

Motion passed unanimously.

Announcements: Ms. Swisher requested a recommendation to the Zoning Commission regarding Section 937 (height limitations on accessory buildings) due to the increase in variance requests.

Next Meeting: December 12, 2006 at 7:00 P.M.

Adjournment: 7:58 P.M.

Submitted by: Dana Scott, Clerk