

PRAIRIE TOWNSHIP BOARD OF ZONING APPEALS
Minutes of April 10, 2007 Meeting

Members Present: Christy Overla, Jan Pitts, Betty Danish, Lee Shoaf, and Bill Gallaer

Members Absent: None

Others in Attendance: Connie Swisher (Zoning Department), Steve Kennedy (Trustee)

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

Chairman, Ms. Overla called for the approval of the minutes of the March 13, 2007 meeting.

Ms. Pitts moved to approve the minutes as submitted, Ms. Danish seconded. The motion carried unanimously.

Chairman, Ms. Overla swore in all of those in attendance wishing to speak.

Old Business: None

New Business: A) Conditional Use Application No: 164-CU-07

Applicant: Michael March, 265 Cole Road, Galloway, Ohio 43119

Owner: Michael March, 265 Cole Road, Galloway, Ohio 43119

Location: 265 Cole Road, Galloway, Ohio 43119

Request: To Grant a conditional use from the provisions of Section 568 #2, to allow owner to conduct a Home Improvement Business within his residence at 265 Cole Road, Galloway Ohio 43119.

Ms. Swisher presented the facts of the application to the board. Property is zoned Suburban Estate residential. Ms. Swisher showed slides of the property showing various views of the property from different directions.

Chairman Overla asked Ms. Swisher for explanation of business use and when does a business have to leave a residential area, what is determining factor. Ms. Swisher said Conditional use is good for lifetime of property if it stays within stipulations approved by the board. Business activity would have to be conducted offsite.

Chairman Overla asked for anyone speaking for the application:

Michael March(applicant) spoke: Mr. March said he had been a resident of 265 Cole Road since 1991, and owned Memco Home Improvement since 1985. Mr. March said he was here to comply with zoning and do whatever needs done. Mr. March stated that pile of gravel shown in one of the pictures is from a project underway and he has a lot of drainage problems to address. His remodeling in the back is still a work in progress.

Mr. Gallaer asked if office is only use of the house. Mr. March said Yes. Mr. Gallaer asked if there was any storage inside for work vehicles and Mr. March replied it can be done after remodeling.

Ms. Danish asked if there would be a lot of vehicles around the house. Mr. March replied 1 or 2. Ms. Pitts asked if materials would be stored on premise. Mr. March replied no, he gets materials as he works.

Chairman Overla asked what the dumpster is for. Mr. March replied that it is for debris off of houses and for recycling. Rumpke does the pick-up. Chairman Overla replied that it seems to be a health hazard. There are recycling bins at Home Depot, why not use them or dump it some where else. Mr. March replied that it would be a major cost. He said that he is in the process of finding forks for his tractor to put the dumpster away and bring it out when it needs dumped. It is dumped on a weekly basis. Chairman Overla asked Ms. Swisher about any code violations having a dumpster on the property. Ms. Swisher replied no.

Chairman Overla asked Ms. Swisher if Mr. March had any vehicles above the allowed size. None over 14,000 lbs. or 24 feet. He told zoning he would put trucks with ladders inside.

Chairman Overla asked Mr. March how many cars per year is he selling in the front yard. He replied that he is not selling cars in front yard, just a turnover of vehicles.

Chairman Overla asked if anyone would like to speak against.

George Nunamaker from 279 Cole Road spoke. He said that dumpster would be sitting in front of his house. He approached the board with pictures of both properties. Mr. Nunamaker said that he is requesting that if board approves and he does not have a problem with Mr. March running a business, that he just does not want to see it. Some type of fence needs to be put up.

Ms Pitts asked Mr. Nunamaker that if dumpster was fenced in and any vehicles kept in garage and property kept clean, would he have a problem with it. Mr Nunamaker replied that if a fence goes up, he didn't see Mr. March using his garage. His garage doors are only 13 feet off the property line. If dumpster is enclosed, he doesn't see how it can be dumped unless he makes another drive. I prefer to not have dumpster, I don't want to see or smell it.

Chairman Overla asked Ms. Swisher if the board can address the pile of debris at this time or not. Ms. Swisher replied yes, absolutely.

Chairman Overla (looking at pictures) asked Mr. March if that was a pond or standing water. Mr. March replied that there is a problem with water when it rains and that is what my front yard looks like.

Chairman Overla asked Mr. March if he is just throwing stuff he can't use on the pile in the back yard. Mr. March replied the wood pile, yes we can clean it up. Mr. Nunamaker said that at times there are used windows stacked up and at times they sit back there for quite a while, until Mr. March takes them to recycle place. Chairman Overla asked if Rumpke bin is for recycling. Mr. March replied no, it is a waste container. Mr. Nunamaker said that problem he has is that when I stand on my front or back porch and I see all of that.

Ms Pitts asked Mr. Nunamaker that if property is completely cleaned up and kept free of all debris and materials out of site, would he have a problem with that. Mr. Nunamaker replied no, as long as it stays like that and I don't see it or smell it. Mr. Nunamaker stated that an odor on Mr. March property is from the leach bed, it is not working and that is what the pile of gravel on the property is for, not drainage, but for the leach bed. When it rains real hard, you can smell the human waste, but that problem is being addressed by the health department. Ms. Pitts asked Mr. Nunamaker if the odor is not really from the dumpster. He replied that he can smell the dumpster because Mr. March puts his family trash inside and in the summertime you can smell it if its real hot. Ms. Pitts to Mr. March asked do you keep your container closed and he replied yes. Mr. Nunamaker said that he usually keeps it closed unless he has windows he throws in it and he has another contractor that dumps in it too. So at times it is overloaded and some days nothing is in it. Ms. Pitts asked Mr. March if Rumpke knows that he has another person dumping in his trash. Mr. March replied I don't know, everyone who uses my dumpster has my permission. Ms. Danish to Mr. March asked how often is dumpster emptied, he replied weekly.

Ms. Pitts stated her concern about trash being brought in from outside Prairie Township to be dumped.

Mr. Shaof (showing picture of property) asked Mr. March how long are his vans. He replied standard E250s. Mr. Shoaf asked how he can back vans into garage without going on Mr. Nunamaker's property. Mr. March replied that he believed Georges property is way over to the left of the telephone poles. Mr. Nunamaker replied that he just had a survey done, you can see the survey sticks. Chairman Overla asked if he used a certified surveyor and does he have a copy of the bill and all information. Mr. Nunamaker said yes, but he didn't have the bill with him.

Chairman Overla asked for anyone else to speak and David Dixon from 85 Cole Road spoke. Mr. Dixon said that Mr. March is a single guy, big dreams for his property and has been working on it a long time. He's slow at getting things done I'll give you that, but this whole deal is not so much a zoning issue but a feuding neighbor if you ask me. I am with George in a couple of areas here. Number one, he has to look at this stuff

everyday. Mike has good intentions but he hasn't done anything with it. So I agree that it needs to be cleaned up.

Ms. Pitts once again stated that she has a problem with debris being brought in from any other business or anything, to be dumped at this location.

Chairman Overla stated that she personally has problem with a dumpster on a residential property.

Discussion among board members to decide what stipulations to be included and how to be written.

Chairman Overla asked board for a motion:

MOTION: To grant a conditional use from the provisions of Section 568 #2, to allow the owner to conduct a Home Improvement business within his residence at 265 Cole Road, Galloway, Ohio 43119 with the following Stipulations:

- 1) All trash and debris is to be removed from property.
- 2) No commercial trash dumpsters will be allowed on property.
- 3) All commercial vehicles must be stored in garage.
- 4) No fill allowed in the flood plain.
- 5) Property must be brought up to code by removing all violations from the property.
- 6) Clean up of property is to occur within 30 days.

Motion by: Chairman Overla
Seconded by: Jan Pitts
Recorded Vote: Jan Pitts: For
Betty Danish: For
Lee Shoaf: For
Bill Gallaer: For
Chairman: Christy Overla: For
Motion passed unanimously.

New Business: B) Variance Application No. 506-VA-07

Applicant: Hanover Communications, Brenda Hunt
(Representative) 1771 Progress Avenue, Columbus,
Ohio 43207

Owner: Nationwide Mutual Insurance Co/Real Estate Investments, 1 Nationwide Plaza, Columbus, Ohio 43215

Location: Giant Eagle, 4780 West Broad Street Columbus, Ohio 43228

Request: To grant a variance from the provisions of Section 1220, to allow for more wall signage than the Resolution requires.

Ms. Swisher presented the facts of the case to the board. She showed pictures of property and drawings of signage. Property zoning is General Business.

Brenda Hunt spoke for Hanover signs.

Ms. Pitts asked about what type of signage would be out at street, if any. Ms. Hunt replied she did not know.

Chairman Overla asked about signage for gas station. Ms. Hunt replied that they will be coming for variance application in the coming months.

Discussion among board members about signage of Giant Eagle vs. JoAnn Fabrics and amount of traffic flow and position of signage.

Chairman Overla asked for a motion from the board:

MOTION: To grant a variance from the provisions of Section 1220, to allow for more wall signage than the Resolution requires.

Motion:	Jan Pitts	
Seconded by:	Betty Danish	
Recorded Vote:	Jan Pitts:	For
	Betty Danish:	For
	Lee Shoaf:	For
	Bill Gallaer:	For
Chairman:	Christy Overla:	For

Motion passed unanimously

Announcements: 1) Get Go gas station 2) Lot split variance on Alkire Road
For clean up-Dumpsters scheduled to be dropped off on April 23rd pick-up April 30th

Adjournment: 8:21 P.M.

Submitted By: Bill Gallaer