

Draft

**HUNTINGTON TOWNSHIP ZONING BOARD OF APPEALS
45955 STATE ROUTE 162 WELLINGTON OHIO 44090**

March 29, 2022

MEETING: The Zoning Board of Appeals held a special scheduled public meeting on March 29, 2022 called to order by Chairman Dan Goble with the Pledge of Allegiance at 7:00 P.M. at the Huntington Township Hall.

IN ATTENDANCE: Carl Strekely, Paul Dria, Dan Goble, Jonathon Traut, Zoning Inspector Matt Combs, Secretary Sheila Lanning, Thomas E Philipps, Walter Rollin, Colin McCafferty, Francis McCafferty, LeeAnn Hastings, Chris Hastings and Doug Hastings.

Chairman Goble asked for roll call with four members present: Jonathon Traut, Carl Strekely, Paul Dria and Dan Goble. Mr. Goble: The minutes of the previous two meetings have be distributed prior to this meeting. Hearing no corrections to the minutes there was a **Motion** by Dria with a second by Traut to approve the minutes of 9/9/2021 and 2/28/2022 as distributed. Roll call vote: Jon Traut= yes, Carl Strekely= yes, Paul Dria= yes, Dan Goble= yes.

Chairman Goble asked for the administering of the Oath of Office to reappointed Board Member Carl Strekely to a five-year term ending 12/31/2026.

Chairman Goble: with there being no further unfinished business, next item, new business. Secretary Lanning read the agenda for the Zoning Board of Appeals. Renewal applications for Conditional Use Permits from Francis McCafferty 01/con/2022, Cornerstone Consultants 02/con/2022, Harris Tax Service 03/con/2022, Ukrainian American Youth Association 04/con/2022 and C&J Motorsports 05/con/2022. Mr. Phillips asked to get on the agenda for a variance for a fence to be erected. Chairman Goble: To those of you present at this meeting, the burden of proof is upon the applicant. Applicants here today have a right to have an attorney present. I will now give the oath to all individuals who intend to give testimony, introduce documents, or provide comments. All individuals please stand and raise your right hand. "Do you swear to tell the truth the whole truth and nothing but the truth so help you God?"

All attendees stood and unanimously answered "I Do".

Chairman Goble: "I now call for abstentions by any board member who has a conflict of interest pertaining to these specific matters before the board. The Township Zoning Inspector Matt Combs may expand or clarify an application and each applicant may present their case."

Francis McCafferty: renewal of a conditional use and home occupation permit. Zoning reference: 4.117 Use Conditional and 4.57 – 4.57.3 Home Occupations. Goble: I now call for abstentions by any board member who has a conflict of interest pertaining to these specific matters before the board. Lanning: I reside next to Mr. McCafferty and there are no issues with this conditional use permit, they are very good neighbors. Secretary polled the Board on approval of conditional use permit 01/con/2022. Roll call

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vote: Jon Traut= yes, Carl Strekely= yes, Paul Dria= yes, Dan Goble= yes. Goble: that is 4 votes yes, the conditional application has been approved.

Cornerstone Consultants: renewal of a conditional use and home occupation permit. Zoning reference: 4.117 Use Conditional and 4.57 – 4.57.3 Home Occupations. Goble: I now call for abstentions by any board member who has a conflict of interest pertaining to these specific matters before the board. Traut: I have heard no issues concerning Mr. McAleese and the home business. You would not know they were there if not for the signage. Secretary polled the Board on approval of conditional use permit 02/con/2022. Roll call vote: Jon Traut= yes, Carl Strekely= yes, Paul Dria= yes, Dan Goble= yes. Goble: that is 4 votes yes, the conditional application has been approved.

Harris Tax Service: renewal of a conditional use and home occupation permit. Zoning reference: 4.117 Use Conditional and 4.57 – 4.57.3 Home Occupations. Goble: I now call for abstentions by any board member who has a conflict of interest pertaining to these specific matters before the board. Goble: as with the other two home businesses you would not know they were there except for the signage. Zoning Inspector Combs noted no issues were brought to his attention. Secretary polled the Board on approval of conditional use permit 03/con/2022. Roll call vote: Jon Traut= yes, Carl Strekely= yes, Paul Dria= yes, Dan Goble= yes. Goble: that is 4 votes yes, the conditional application has been approved.

Ukrainian American Youth Association: renewal of a conditional use permit. Zoning reference: 4.117 Use Conditional and 8.5.6 Recreational Commercial District. Goble: I now call for abstentions by any board member who has a conflict of interest pertaining to these specific matters before the board. Goble: this youth camp does not fall within our Zoning as a campground and is not zoned Recreational Business. The current zoning is Residential Agricultural. The permit is citing Zoning Resolution references that do not fit the use. The previous Zoning Inspector used these Zoning references. Discussion upon the best way to make the Youth Association fit within the current Zoning or to request the Zoning Commission look at expanding the Zoning Resolution Book to accommodate this use of property. Secretary will bring the issue to the Zoning Commission for review. Lanning: in the past the Zoning Inspector was informed of all Ohio State requirements (sewage system permits) when they were authorized. The Trustees provided a letter to the Association in 2021 affirming to the State that they had updated their sewage system. Traut: they did have an issue previously with the EPA. Secretary polled the Board on approval of conditional use permit 04/con/2022. Roll call vote: Jon Traut= yes, Carl Strekely= yes, Paul Dria= yes, Dan Goble= yes. Goble: that is 4 votes yes, the conditional application has been approved.

C&J Motorsports: Goble: This is a home occupation, conditional use. Zoning reference: 4.117 Use Conditional and 4.57 – 4.57.3 Home Occupations. Goble: I now call for abstentions by any board member who has a conflict of interest pertaining to these specific matters before the board. First I will ask Combs for any comments on the application. None noted and now ask the applicant for comments. Chris Hastings: You guys brought me all the dirt and I am grateful. I did get it graded before winter but it is

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now a giant pile of dirt that is too wet to do anything with. My neighbor let me store some stuff in his side yard. Once dry enough to get a dump truck back there it will be graveled. Combs: we did plateau it and the water ran off of it. Traut: when was this done? Combs: October. Lee Ann Hastings: He has been diligent about calling people to come and pick up equipment and has turned down work to avoid having more out there. Strekeloy: has the part situation improved at all? Chris Hastings: no. Goble: I would like to review the business since 2014 first application provided to Board members. Goble: read the previous minutes and applications made by Chris Hastings. The business has continually missed the goals set by the Zoning Board of Appeals to clean up appearance and build a promised fence to obstruct the view of broken equipment. Traut: It seems like there will always be exterior stuff even though the original application says there will be nothing outside. Goble: it seems like the renewals refer back to the application and in 2021 you stated a new fence will be erected and Finkel spoke of getting dirt. You also mentioned removing the truck. Chris Hastings: the dirt took till end of the season to get and I will remove truck as soon as it is dry. Goble: nothing has changed, in same boat as last year. Chris Hastings: I understand but it is too wet to get back there. I barely got it graded. Doug Hastings: in winter what can you do with dirt. Goble: we understand but we have to adhere to the Zoning. Traut: if asked how we allow you to keep all the junk when we are sworn as Board members to follow the rules. Doug Hastings: there are lots of places worse than him, I just listened about Ukrainian Club and they have been here for 40 years and you haven't figured out what to do with them. Goble: we are here to follow the Zoning Resolution we don't create the rules. Discussion reiterated the annual permits starting in 2014 and the lack of progress. Traut: If we see the same thing next year I will vehemently oppose this permit and close you down. I was personally asked to remove a trailer and I did so within 35 days I stayed in compliance. Chris Hastings: I promise you will not see this next year. The dirt will help get rid of seeing the equipment in the front. Once I get the back yard fit I will be able to move the equipment to the back. Goble: history repeats itself through all these applications. How are these guarantees going to be put in place. The business should look like all the other residential areas with exception of a sign. Lee Ann Hastings: if that is true why was it approved in the first place, it has been in the Township for 40 years. Dria: the Morgan property was zoning B1 business when it was there not R1 Residential. Discussion on the originally business located on a farm that started 40 years ago. Goble: this application is for a business in R1. Chris Hastings: when I can put gravel and move the equipment it will be better. Goble: how do we put this on paper and hold accountable. Lanning: previously a letter was sent with a 90 day limit monitored by the Zoning Inspector. Traut: I understand more today that you got a bunch of dirt and you are not able to finish the space until it is dry. Next year I will remember what was said and look for it to be done. Goble: I would like to see something change, I read the back story and there have been several things happen. Chris Hastings: I was new back in 2014 and I thought I could get it all done. Lanning: suggested a letter with plan timeline monitored by the Zoning Inspector. Goble: meet with Zoning Inspector and get a plan and come in next year with the plan and how you fulfilled it or not. Traut: are you considering getting more fence. Chris Hastings: I would like to put up a taller fence. Rollin: I would like it to be cleaned up but I would not like to deny a man his business. Goble: I understand but we are here to interrupt the

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Zoning. **Motion** by Traut with a second by Dria to approve conditional use permit 05/con/2022. Roll call vote: Jon Traut= yes, Carl Strekely= yes, Paul Dria= yes, Dan Goble= yes. Goble: that is 4 votes yes, the conditional application has been approved for 2022.

Mr. Phillips requested the Zoning Board review his verbal request for a variance to erect an 8' plastic deer fence surrounding his planting of 64 fruit trees at his home of 46027 Stewart Road. He provided a google map showing the fence location on his property running parallel to State Route 58. Discussion on section 6 – General Regulations 6.7.5 and 6.10.7 stating height requirements do not exceed 6 '. The Board requested the information be remitted and another public meeting be held to address Mr. Phillips' request.

ADJOURN: Motion by Traut with a second by Strekely to adjourn. Roll call vote: Jon Traut= yes, Carl Strekely= yes, Paul Dria= yes, Dan Goble= yes. Meeting adjourned at 8:37 PM.

Signed

Chairperson

Attest:

Secretary