

# MILLCREEK TOWNSHIP BOARD OF ZONING APPEALS

## PUBLIC HEARING & MEETING MINUTES

**DATE & TIME:** Tuesday, February 4, 2014 @ 7:00 p.m.

**LOCATION:** Millcreek Township Hall, 10420 Watkins Road, Marysville Ohio 43040

**CALL TO ORDER:** Meeting called to order by Chair Jason Comstock at 7:02 p.m. and opened the public hearing for a Variance application.

**ROLL CALL:** Planning/Zoning Administrator Joe Clase called the roll of members present.

*Members Present:* Brian Clark, Alternate  
Jason Comstock, Chair  
Jim Teitt  
Bob Whitmore, Alternate  
Charles Still

*Members Absent:* Steve Cameron  
Jeff Pieper

*Others Present:* Joe Clase, Millcreek Township Planning/Zoning Administrator  
Keith Conroy, Trustee, 10181 Watkins Road  
Bill Jordan, Trustee, 14241 Bellepoint Rd., Marysville  
Bill Lynch, Trustee, 9676 Harriott Road  
William & Richard Stottlemeyer, 13599 Bell Road

**LEGAL NOTICE:** Jason Comstock read the following legal notice as published in the Marysville Journal Tribune at least ten (10) days prior to the hearing:

*The Millcreek Township Board of Zoning Appeals will hold an annual organizational meeting on Tuesday, February 4, 2014 to elect officers, review conditional use permits and revoke any necessary permits in accordance with Section 4251 of the Millcreek Township Zoning Resolution and other business that may come before the board. This meeting will follow a previously continued public hearing that will be held at 7:00 p.m. to consider variance requests by TR Touchstone, on behalf of Conklin Dairy Farms Inc. from Article XI (Signs) and Article XIII (Landscaping) of the Millcreek Township Zoning Resolution at 13220 U.S. 42 on Parcel No. 2500130260000, zoned B-2. The meeting will be held at the Millcreek Township Hall, 10420 Watkins Road, Marysville, Ohio 43040. The public is invited to attend and comment. A copy of the application can be found online at [www.milkcreektwpohio.us](http://www.milkcreektwpohio.us).*

**REQUEST BY APPLICANT:** Joe Clase distributed copies of new exhibits presented by the applicant on their proposed monument sign and landscaping. He stated the applicant was not able to attend the hearing and asked to continue the hearing for the following week to allow them an opportunity to attend.

Jason Comstock made a motion to continue the public hearing for the variance application from Article XI for the proposed monument sign and Article XIII for the proposed landscaping plan at 13220 U.S. 42 on parcel number 2500130260000, in the B-2 zoning district, until February 4, 2014 at 7:00 p.m. Jim Teitt seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

Jason Comstock announced the public hearing closed at 7:04 p.m.

Jason Comstock called the regular meeting to order at 7:05 p.m.

**REVIEW OF CONDITIONAL USE PERMITS:** Joe Clase presented his review of 21 Conditional Use Permits and recommended revocation for six (6) permits where no evidence exists that they have been active for the past year, including 6939 Watkins Road, 7470 Brown Road, 9020 Watkins Road, the 2012 amended CUP for 10761 Watkins Road, 12939 U.S. 42N and 13599 Bell Road.

William and Richard Stottlemeyer (13599 Bell Road) were present and stated that they stored business files on-site, but that the business activity has not occurred for a number of years. They mentioned they had an auction in 2008 and got out of the business of hydro-mulching due to the significant decline in the housing market.

Jim Teitt made a motion to revoke the Conditional Use Permit for 13599 Bell Road in accordance with Section 4251 of the Millcreek Township Zoning Resolution. Charles Still seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

Jim Teitt made a motion to revoke the Conditional Use Permits for 6939 Watkins Road, 7470 Brown Road, 9020 Watkins Road, the 2012 amended CUP for 10761 Watkins Road and 12939 U.S. 42N in accordance with Section 4251 of the Millcreek Township Zoning Resolution. Charles Still seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

**MEETING MINUTES:** Jason Comstock made a motion to approve meeting minutes for 07/31/12. Brian Clark seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

Jason Comstock made a motion to approve meeting minutes for 12/12/12. Brian Clark seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

**ORGANIZATIONAL BUSINESS:** Jim Teitt made a motion to nominate Jason Comstock Chair of the Board of Zoning Appeals for 2014. Charles Still seconded the motion.

Jim Teitt made a motion to nominate Steve Cameron Vice Chair of the Board of Zoning Appeals for 2014. Charles Still seconded the motion.

Jim Teitt made a motion to elect Jason Comstock Chair of the Board of Zoning Appeals for 2014 and Steve Cameron Vice Chair of the Board of Zoning Appeals for 2014. Brian Clark seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

Jason Comstock made a motion require a quorum of at least (3) members to conduct business. Jim Teitt seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

Jim Teitt made a motion to require a majority vote of members present to pass any motion. Charles Still seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

Jim Teitt made a motion to authorize the chair to schedule meetings as needed throughout the year, ensuring such meetings are properly advertised by the Zoning Administrator. Charles Still seconded the motion. Roll call vote: Jim Teitt, YES; Bob Whitmore, YES; Brian Clark, YES; Charles Still, YES; Jason Comstock, YES. Motion carried.

**TRUSTEES' REPORT:** Bill Lynch announced that Jim Teitt had been reappointed by the Board of Trustees for another

5 year term. Keith Conroy stated that the County Engineer's Office will be in attendance at the Board of Zoning Appeals meeting on February 11 to discuss access along U.S. 42 with future growth.

**ADJOURNMENT:** Jason Comstock made a motion to adjourn the meeting. Jim Teitt seconded the motion. All voted in favor of the motion and the motion carried. Jason Comstock announced the meeting to be adjourned at 8:34 p.m.

PREPARED BY:

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Joe Clase, Zoning Administrator

ATTEST:

DATE APPROVED:

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Jason Comstock, BZA Chair

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