

Zoning Meeting minutes BZA

October 22, 2019

Members present: Valerie Hans, James Hannahs, Jeremy Nestor, Jack Treinish and Alternate John McGowan. Absent: Ricky Biniker and Ryan Bailey

John McGowan will be a voting member due to the absence of Ricky Biniker.

Also present: Tom Frederick, Zoning Inspector, Vickie Noble, Zoning Secretary and Marilyn Martin of Anderson Reporting.

Guests: Ralph Stepp, Donna Stepp, Julie Branham, Jeff Branham, Marshall Williams, Peggy Williams, Ray Wenck, Steve and Kim Lamb, Rachael Mattis Bissett, Claudia Martin, Ray Foor, Dan Hayes, Ken and Lisa Streib, Jarrod Mahaffey.

The purpose of this meeting is to consider a Conditional Use Application submitted by Jeff and Julie Branham of F&F Williams, LLC.

The applicant is requesting to develop 10.83 acres at 8405 York Rd. Pataskala, OH 43062. They want to have events such as reunions, weddings, square dances, small music indoor concerts, meetings and small group events. There will be two main buildings with some additional smaller structures.

The meeting was called to order at 6:33 PM by Valerie Hans with all standing for the Pledge of Allegiance.

Those who wanted to speak during tonight's hearing were asked to be sworn in by the court reporter.

Ms. Hans read the application. Additional drawings of the proposed layout and buildings were presented for the board to view. She asked if the applicant had anything to add.

Dan Hayes of Hayes Law Offices in Pataskala said he was representing the applicants. The property is under F&F Williams, LLC. The property has been in the family since the 1940's. Mr. Hayes said he was excited to see this stay in the family since most properties are sold by the third generation. The family wants to develop the property to benefit and honor the community. It will be a rental facility for events with no food service. Mr. Hayes pointed out that the property is zoned B-1 and the proposed business fits with conditional uses of the Harrison Township Zoning Resolution.

Ms. Hans asked if there would be restrooms and Kitchen facilities in Building A. Mr. Hayes said there would be both in Building A. Ms. Hans asked what restroom access would be available to those using the shelter houses. Mr. Hayes said they could use the restrooms in Buildings A and B.

Ms. Hans asked about the parking. Mr. Hayes said they did not want to park close to the road but would work with the county and township.

Ms. Hans asked about signage. Mr. Hayes said they would have signage but would not block the line of site on the roads. He said they may consider putting up gates.

Mr. Frederick's report

October 21, 2019

Harrison Township Zoning Inspector's report & recommendation for a Conditional Use application for 8405 York Rd. Pataskala, Ohio 43062. The applicants are Jeff & Julie Branham of F & F Williams, LLC.

The Conditional Use application is for the development of an events operation for reunions, weddings, square dances, small indoor concerts, meetings and small group events. The existing structure will be used for small events, meetings, small group events and as an area for wedding attendees to dress. There will be an additional building that will be used for larger events such as weddings, small indoor concerts, square dancing and reunions. There are plans for future shelter houses and associated buildings for storage of tables and chairs.

This recommendation will follow the requirements of the Harrison Township Zoning Resolution Section 4.22 General Standards Applicable to All Conditional Uses. The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. is in fact a conditional use as established under the provisions for the Zoning District involved;

The property is currently zoned B-1. Business Districts, Conditional Use Section 15.62 provides for a Conditional Use Permit for Places of amusement and assembly.

2. will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's comprehensive plan and/or Zoning Resolution;

The Future Land Use map has this area as Agricultural use.

3. will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

The applicants have submitted a site plan showing the large main event building to be located on the east side of the property. The applicants have stated within their application statement that the existing building will be remodeled. The main event building will be built to match the details and character of the remodeled existing building.

4. will not be hazardous or disturbing to existing or future neighboring uses;

The applicants have stated there would be weddings and small indoor concerts. If the noise from these events is controlled then there should be little disturbance to the adjoining properties. Harrison Township has adopted a Noise Resolution (#2018 05 22 01) that regulates unnecessary and excessive noise generated from premises to which a D permit has been issued by the Division of Liquor Control and unnecessary and excessive noise generated in residential zoned areas of the Township. This means that any unnecessary and excessive noise can be regulated by the Sheriff's office between 12 AM and 6 AM. There is a proposal that would amend the state requirements that would allow townships to control noise regulations to all areas of the township.

5. will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

Yes.

6. will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

No.

7. will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odor;

The proposed use will change the character of the neighborhood. With weddings, small concerts and the like there will be an increase of traffic in the area at times.

8. will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

The applicants should contact the Licking County Engineer's office for their approval of the proposed improvements to the driveway and for the new driveway on Refugee Rd. for the proposed business.

9. will not result in the destruction, loss, or damage of natural, scenic, or historic feature of major importance;

There will be changes to the property for the proposed business. It appears the existing and proposed building will be designed and constructed with a barn / rural type appearance.

Zoning Inspector's Recommendation

I would recommend the following considerations for the proposed business:

1. *Must comply with all requirements of the Harrison Township Zoning Resolution. Some of those would be Landscaping /Buffer Regulations, Architectural Review Standards, Parking Regulations, Sign Regulations and Lighting.*

Thomas D. Frederick

Harrison Township Zoning Inspector

Ray Wenck lives behind the property and does not feel this will be benefit the community. He is concerned about lights and noise. He made a reference to problems from Frontier Ranch which was a previous business on York Road.

Donna Stepp said she was blessed when Frontier Ranch left. She is concerned about what will happen if the proposed business doesn't make it and someone else takes over. She is also concerned about alcohol. She asked about the materials for the buildings. She feels if the building is metal it will amplify the music.

Steve Lamb said he built his house 20 years ago. He would be looking at the venue and is concerned about the noise. Jeff Branham said he is willing to meet with Mr. Lamb and discuss details.

Ms. Hans said she understands the concerns with properties being in the B-1 district and the ability to build within the zoning district. The owners have the right to develop within business and manufacturing districts. The only way to control what goes on a property is to buy it. She also pointed out that conditions can be placed on the business.

Ralph Stepp asked about hours of operation. Jeff Branham answered that events would usually end around 11-12. There would be nothing past midnight.

Dan Hayes added that this will not be a concert venue.

Ralph Stepp asked if anyone would be living on the property. He is concerned about vandalism. Jeff Branham said there would not be anyone living on the property.

Julie Branham said she understands the problems from Frontier Ranch but said there would not be overnight events like there were at Frontier Ranch.

Ray Wenck asked if the applicants would be opposed to taking out concert events.

Jeff Branham said there would be music for weddings and maybe gospel concerts but will not be a concert hall. He said he has plans for noise control.

Mr. Treinish asked about the size of Building B. The size will be 72' x 80'. It will be a one story with a lofted area.

Mr. Treinish asked about the buffering. Mr. Frederick read the regulations from Article 10:17 of the Harrison Township Zoning Resolution.

Ms. Hans asked about limiting the size of concerts to possibly 50 people. Jeff Branham said no outdoor concerts were planned but would agree to a limit. Dan Hayes would like to see a definition of concert. Mr. Frederick provided a definition from Wikipedia.

Ms. Hans asked how the building would be sound proofed. Jeff Branham answered it would have insulation, drywall, and wood interior. He would sound proof the inside walls.

Mr. Nestor said he doesn't have a problem with the application. He doesn't want to restrict the concerts to 50 people.

Kim Lamb asked about security and parking. She is concerned about people coming onto neighboring properties. Mr. Frederick suggested neighbors call the sheriff's department for problems.

Mr. McGowan asked about the process for setting limitations on occupancy numbers of public buildings. Mr. Frederick said that would be up to the Licking County Building Code and the Fire District.

Donna Stepp asked if the business would be operating seven days a week. Jeff Branham and Dan Hayes answered the business would be available seven days a week.

Ms. Hans moved to approve the application with the following conditions;

1. Music events or events with music service (band, DJ, orchestra, pre-recorded music, etc.) will cease amplification at 10:00 pm Monday-Thursday and 12:00 midnight Friday, Saturday and Sunday and may not resume until 9:00 am.
2. Ingress and egress access will be reviewed and approved by Licking County Engineering.
3. All exterior lighting will be angled downward to avoid spillover of lighting to other properties in accordance with the Harrison Township Zoning Resolution.
4. Any materials storage will be kept indoors and covered at all times.

5. No overnight events with the exception of organized youth activities supervised by adults at all times.
6. There will be no arena or amphitheater concerts on the property.
7. Building B will be constructed with soundproofing and insulation components.
8. Outdoor live music concerts, recitals or orchestra, etc. will be limited to daylight hours only.

Mr. Nestor seconded.

Vote:

Valerie Hans-yes, James Hannahs-yes, Jeremy Nestor-yes, Jack Treinish-yes, John McGowan-yes
The motion passed with unanimous yes votes.

The Public Hearing closed at 7:42 pm.

A working session began at 7:46 pm.

The minutes from the October 9, 2019 meeting were considered.

Ms. Noble informed the board that a slight edit had been made to the minutes.

Mr. McGowan moved to approve the amended minutes. Ms. Hans seconded. The motion passed with unanimous ayes.

The board was given copies of a new Conditional Use Application.

The application was submitted by Jim Ellison and Chris Williams of The Reclaimed Barnwood Company. The Public Hearing is scheduled for Wednesday November 13, 2019 at 6:30 pm.

At 7:51 pm Ms. Hans moved to adjourn. Mr. Nestor seconded. The motion passed with unanimous ayes.

Respectfully submitted

Vickie Noble, Zoning Secretary

Valerie Hans, Chair

Public hearing professionally recorded by Anderson Reporting