



PLAIN TOWNSHIP ZONING COMMISSION

MEETING MINUTES

June 14, 2018

Chair Greg Eller called the Plain Township Zoning Commission Meeting to order at 7:00 p.m.

ROLL CALL

Attending the Plain Township Zoning Commission Regular Meeting were Greg Eller, Scott Harper, Mark Sowle, Rick Wieland, and Chad Blind. Zoning Officer, Ben Collins was also in attendance.

ADDITIONS OR CORRECTIONS TO AGENDA

None

APPROVAL OF MINUTES

May 10, 2018 Meeting Minutes

Mr. Eller asked the members to review the meeting minutes. Mr. Blind made a motion to approve the May 10, 2018 meeting minutes as presented. Mr. Wieland seconded the motion. Vote: Mr. Eller – Yes, Mr. Harper – Yes, Mr. Sowle – Yes, Mr. Wieland – Yes, Mr. Blind – Yes. Motion carried.

RECOGNITION OF VISITORS/ CITIZEN'S COMMENTS

None

ZONING OFFICER'S REPORT

Mr. Collins did speak with the proprietor of Johnstown Road Storage at the north end of the township. They are interested in adding on to the 3rd phase of their construction with three other buildings. They are zoned Select Commercial Planned District so their site plan dictates what they are allowed to build. It took several iterations to get that project approved for rezoning. One of the concessions they made through that process was on architectural design. Since they have built several buildings they have discovered that it is an expensive architectural element to include a raised central beam. They want to come back and request a modification of that design. They want to build out the rest of the site. The property is currently listed for sale.

Mr. Wieland asked if they finished the house. Mr. Collins said that the house has had some improvements completed. Access to the basement/cellar has been upgraded. Mr. Wieland asked if they were keeping up the property. The first floor of the house is being used as offices. Mr. Collins indicated that the township had used the facility for storage.

Mr. Collins said that the existing structures have a middle portion for architectural purposes, and did not provide extra storage or additional storage height. Mr. Wieland asked if the site has inside locker storage.

Mr. Collins said he believed all the units were exterior. The completed buildings are to the front of the property and the proposed new buildings would be to the rear portion of the complex. Mr. Wieland asked about fire runs to the complex and Mr. Collins said he knew of none. Mr. Collins expects to receive the application for next month.

NEW BUSINESS

ZC Case Number 06-06-2018-01 - 5211 Johnstown Road – Oakland Nursery – Mark Reiner - Parcel Number 220-001952 - Requesting a SCPD Development Plan Amendment Section 303.09 to allow the applicant to construct a building and a concrete pad.

There is not a separate application for the process of modification in the Select Commercial Planned District. There is a snippet in the text stating what needs to take place. Mr. Collins stated that the Zoning Commission first needs to determine if it is a major or a minor modification. If it's a major modification it must go through the entire rezoning process (sent to Franklin County Planning Commission, Rocky Fork Blacklick Accord, Zoning Commission and the Board of Trustees). A minor modification, as the past 2 applications have been, requires coming back to the Zoning Commission and presenting their case and answering questions and providing supplemental information.

One thing not included was how it will impact the storm water management on the site. Mr. Collins requested that information. The other outstanding item is to resolve a lingering screening issue to the south. In the initial modification to this site, the 80% opacity requirement was raised by the neighbors and the zoning commission acknowledged it and left it to Oakland Nursery to resolve it in a reasonable way. Oakland Nursery has had 2 years to resolve it. The 80% opacity at the property line was the goal. Oakland nursery planted smaller evergreens to try to improve the opacity, however, Mr. Collins indicated that he did not think they ever reached the 80% requirement. The neighbors ended up putting up a privacy fence along the property line to resolve the issue. Oakland Nursery was handicapped due to deed restrictions. Existing environmental conditions were discussed. Mr. Collins has asked that a resolution between the neighbors and Oakland Nursery be included as part of the application and added to the site plan. The traditional New Albany split rail fence could have been built by Oakland Nursery, but not a privacy fence due to deed restrictions. Possible solutions for the 80% opacity were discussed. Ideally Mr. Collins would like the neighboring property owner to have a say and sign off on the solution and way it is documented should the issue come up again. Various site improvements, including curb cuts and operational issues such as deliveries and truck traffic at the site were discussed.

Mr. Blind asked if it was typical for a request like this to come in after the work has been done. Mr. Collins indicated that operating within the township sometimes confuses people. There was a township resident who altered a section of a stream who found out that the Army Corp of Engineers needed to be consulted. Oakland Nursery operates other sites that each have very different government regulations due to their locations.

Mr. Wieland asked if there were any pictures or drawings of the building provided. There were none. Mr. Harper asked whether permits were issued by the state for the new building. Mr. Collins said he did not know if building permits were obtained. He will find out. The items constructed without permits were discussed. Mr. Collins said he would check with Franklin County and the state to see if any permits had been pulled and he would review the EMH&T report.

The current application was discussed. The 6000 square feet of impervious pavement and its impact was debated. Mr. Collins indicated that the Zoning Commission can request certain documentation be included.

The validity of the application being a minor modification was discussed.

Mr. Harper made a motion to accept Zoning Case Number 06-06-2018-01 for 5211 Johnstown Road – Oakland Nursery - Parcel Number 220-001952 - Requesting a SCPD Development Plan Amendment Section 303.09 per the township zoning code and per the plan submitted along with the application. Mr. Eller seconded the motion and called for a vote. Vote: Mr. Eller – Yes, Mr. Harper – Yes, Mr. Sowle – Yes, Mr. Wieland – Yes, Mr. Blind– Yes. Motion carried.

Mr. Sowle asked if the requested items should be included in the motion. Mr. Collins said that the materials could be added to the record before the next meeting.

Mr. Harper made a motion to modify the motion and accept Case Number 06-06-2018-01 for 5211 Johnstown Road – Oakland Nursery - Parcel Number 220-001952 - Requesting a SCPD Development Plan Amendment Section 303.09 to allow the applicant to construct a building and a concrete pad with the stipulation that it is a minor amendment to the existing plan. Mr. Sowle seconded the motion. Vote: Mr. Eller – Yes, Mr. Harper – Yes, Mr. Sowle – Yes, Mr. Wieland – Yes, Mr. Blind– Yes. Motion carried.

OLD BUSINESS

None

HEARINGS

None

BOARD MEMBER COMMENTS

Mr. Wieland asked if there was anything in the township fee schedule regarding a penalty if a permit is not pulled. Mr. Collins said that there is an additional fee in that situation. He can check to see what other townships do in that situation.

ADJOURNMENT

Mr. Wieland made a motion to adjourn the meeting. Mr. Eller seconded the motion. All in favor. Motion Carried. The regular meeting of the Plain Township Zoning Commission was adjourned.

****AS APPROVED****



Ben Collins
Zoning Commission Secretary