



## PLAIN TOWNSHIP BOARD OF ZONING APPEALS

### MEETING MINUTES

March 14, 2023

Chair, Valerie Jorgensen called the Plain Township Board of Zoning Appeals Meeting to order at 7:06 p.m. The meeting was held at the Plain Township Fire Department.

#### **ROLL CALL**

Attending the Plain Township Board of Zoning Appeals meeting were Valerie Jorgensen, Chad Blind, Brad Martin, and Richard Martin. Assistant Zoning Officer Mary Fee was also present.

#### **ADDITIONS OR CORRECTIONS TO AGENDA**

None

#### **APPROVAL OF MEETING MINUTES**

February 14, 2023 Meeting Minutes

Mr. Chad Blind made a motion to approve the meeting minutes of February 14, 2023 as submitted. Mr. Brad Martin seconded the motion. All in favor. Motion Carried.

#### **RECOGNITION OF VISITORS/ CITIZEN'S COMMENTS**

Mallory Buehler – Applicant 7564 New Albany Condit Road  
Zoe Guirlinger – Property owner 7656 New Albany Condit Road

#### **ZONING OFFICER'S REPORT**

Assistant Zoning Officer Mary Fee reported that staff received an application to rezone 8 acres at 6202 Walnut Street. The application will go before the Rocky Fork Blacklick Accord and the Franklin County Planning Commission for review before coming back to the Zoning Commission for a public hearing on April 13, 2023. The RFBA will meet on March 16 to consider a Columbus application on Warner Road and the Plain Township Walnut Street application.

#### **NEW BUSINESS**

**Variance Application 03-14-2023-01 – 8258 Bevelhymer Road** requesting a variance under Section 406.02 to increase the size of an accessory structure 2260 square feet in excess of the permitted 3120 square footage.

**Mr. Chad Blind** made a Motion to accept **Variance Application 03-14-2023-01 – 8258 Bevelhymer Road** requesting a variance under Section 406.02 to increase the size of an accessory structure 2260 square feet in excess of the permitted 3120 square footage and schedule this case for public hearing on April 11, 2023 at 7:00 pm. Mr. Richard Martin seconded the motion. All in favor. Motion Carried.

### OLD BUSINESS

None

### HEARINGS

**Variance Application 02-14-2023-01 – 7564 New Albany Condit Road - requesting a Conditional Use under Section 405.04.1 to allow a dog grooming home occupation outside the dwelling unit and a variance from Section 405.04.1 to permit the home occupation to take place within a trailer located on the property instead of an accessory structure.**

Mrs. Val Jorgensen presented the application and swore in applicant, Mallory Buehler and neighbor Zoe Guirlinger.

Assistant Zoning Officer Mary Fee presented an email/letter she received from a neighbor on Walnut Street that had received notification of the hearing. The neighbor was opposed to the Conditional Use and Variance. His concerns were:

- A neighbor's covenant and right of quiet and peaceful enjoyment of their land and dwelling could become encumbered by this business use.
- Dumping waste water in the backyard or back of property (on to someone else's property) creates significant runoff issues on to the neighbors who likely are on well water, and it is harmful to the natural environment and wildlife that lives back there (my back yard).
- The hours of operation are too long as they encumber quiet and peaceful enjoyment of residential use.
- There is no fence in their backyard. It's only on the side. That 6 foot privacy fence should be completed for safety on all sides to prevent dogs from escaping on to neighbors and they should be leashed at all times.
- The house adjacent to the trailer placement is extremely close, and that neighbor would be wrongfully subjected to dogs stopping by all day whining and yelping. That's not fair to them if they oppose the matter.
- Trailer businesses do not add value to neighborhoods or their neighbors interests and properties.

There was a discussion regarding the application. Waste water would be a maximum of 35 gallons

and the applicant is willing to direct it to the septic tank. The applicant plans to fence in a small portion of the yard that is adjacent to the trailer so that interaction with her dogs and client dogs is not an issue. The fence would prevent the dogs from escaping on to the neighbors' properties. The dogs will be leashed when entering and leaving the trailer. Dogs will only be on site at the time of their appointment. Dogs will be dropped off and picked up with little to no overlap so barking, whining and yelping should not be an issue. There is only one groomer in the trailer at a time, therefore there is only one dog at a time being groomed. Sometimes there may be a 2<sup>nd</sup> dog in the family so there might occasionally be 2 dogs on site, but most times it will be one dog at a time. The applicant does have a crate in the temperature-controlled garage for dogs that are not picked up immediately. The height of the 6'x12' trailer puts it behind a 6-foot privacy fence and it will not be readily apparent to people driving by. The trailer will be sitting on gravel. There would be no signage indicating that the dog grooming business was on the premises, but maybe she would paint her mailbox a bright color or make the street numbers larger so it would differentiate her house to make it easier for her clients to find since 605 is a busy road with fast traffic. Mr. Chad Blind noted that the application said there would be no signs, landscaping or additional items needed as they would not be advertising from the road. The weekend business hours were considered. Neighboring properties enjoyment of their backyards was discussed. Doing the weekend appointments as mobile instead of onsite was suggested. Restricting Sundays was proposed and the applicant said that they would comply.

Neighbor, Zoe Guirlinger, indicated that she had attended the hearing due to some concerns about the business but her voiced her support of the requested Conditional Use and Variance after the discussion.

This matter came before the Board of Zoning Appeals seeking a **Conditional Use under Section 405.04.1** to allow a dog grooming home occupation outside the dwelling unit and a variance from Section 405.04.1 to permit the home occupation to take place within a trailer located on the property instead of an accessory structure.

Upon the conclusion of the hearing and following the presentation of the facts and testimony, Chad Blind made a Motion to Approve **Variance Application 02-14-2023-01 – 7564 New Albany Condit Road - requesting a Conditional Use under Section 405.04.1 to allow a dog grooming home occupation outside the dwelling unit and a variance from Section 405.04.1 to permit the home occupation to take place within a trailer located on the property instead of an accessory structure with the following stipulations:**

- 1) Hours of operation to be limited to Monday through Friday, 9am – 6pm and Saturday 9am – 4pm. No business operations are to be conducted on Sunday.
- 2) Waste from the trailer to be dumped directly into septic system and not onto the grass.
- 3) No Signage advertising the business to be on site.
- 4) Dogs always on leash and under full control when outside of the trailer.
- 5) Trailer to be placed on gravel pad behind the home
- 6) Noise kept to minimum to not disturb the neighbors
- 7) Only 1 (one) 6' x 12' trailer is allowed

Richard Martin seconded the motion; a roll call vote was taken:

Valerie Jorgensen	Yes
Chad Blind	Yes
Brad Martin	Yes
Richard Martin	Yes

The motion to approve the application as stated above has Passed.

**BOARD MEMBER COMMENTS**

None

**PUBLIC COMMENTS**

None

**ADJOURNMENT**

Mrs. Valerie Jorgensen adjourned the meeting.

The regularly scheduled public meeting of the Plain Township Board of Zoning Appeals was adjourned.

**\*\*AS APPROVED\*\***

  
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Ben Collins  
Zoning Board of Appeals Secretary