

PRAIRIE TOWNSHIP BOARD OF ZONING APPEALS
Minutes of the July 10th, 2018 Meeting

Members Present: Bill Gallaer, Doug Owsley, Christy Overla, Bruce Steele and Mark O'Loughlin

Members Absent: None

Others in Attendance: Dana Scott and Alicia Armentrout from Zoning, Pete Griggs (legal counsel for Prairie Township)

Chairman O'Loughlin called the meeting to order at 7:00 P.M.

Mr. O'Loughlin asked for a motion to approve the minutes of the June 12th, 2018 meeting.

Mr. Owsley made a motion to approve the minutes as written. There was a second by Mr. Steele. All members voted in favor to approve.

Mr. O'Loughlin swore in those wishing to speak.

Old Business: A) Appeal Application No. 130-AP-18

Applicant: Rick Rodger, ESQ. Attorney at Law, 126 West Fifth Street, Marysville, Ohio 43040

Location: 951 Military Drive, Galloway, Ohio 43119

Request: To consider an appeal filed on behalf of Shilo and Stephanie Cain for review of a decision made by the Prairie Township Field Inspector in a violation letter dated February 16, 2018 which states the property was in violation of Sections 300, 320, 350, 351, 568 #2, 920 and 1015 of the Prairie Township Zoning Resolution disputing that the applicant is operating a Home Occupation and parking a commercial vehicle in an R-6 Zoning District.

Mr. Owsley made a motion that the Board take a brief recess for private deliberations to discuss the merits and implications of this application. There was a second from Mr. Gallaer.

All Board Members voted in favor.

Break at 7:02 pm.

The Board returned to session at 7:20 pm.

Chairman O'Loughlin stated that he would like to entertain a motion on Appeal Application No. 130-AP-18.

Mr. Owsley stated that he would like to move that the Board confirm the decision of the Township Field Inspector and dismiss the appeal with prejudice based on the following findings:

- 1) The Appeal was ultimately occurring approximately 90 days after the notice against the standard of 20 days.
- 2) The Applicant carries the burden of proof which has not been met. No credible evidence has been provided. With the evidence available, a reasonable person would conclude that the operation and existence of the business is 951 Military

Drive.

- 3) There has been no dispute that the truck is not a commercial vehicle parked in an R-6 zone.

There was second from Ms. Overla.

No further comment or discussion.

Roll Call Vote:	Mr. Steele	For
	Mr. Owsley	For
	Ms. Overla	For
	Mr. Gallaer	For
Chairman	Mr. O'Loughlin	For

The Appeal is Denied

New Business: A) Variance Application No. 627-VA-18

Applicant: Roberto Cordero, on behalf of owner, Juan Rodriquez 480 Sandmar Drive, Blacklick, Ohio 43004

Location: 1145 Alton Road, Galloway, Ohio 43119

Request: To grant a Variance from the provisions of Sections 1002; to allow the property owner to have more than one (1) principal structure on the same lot for a temporary period of time and to also allow the owner to reside in his existing home while the new home is being constructed and have up to six (6) month to remove the existing home after the certificate of occupancy is issued.

Ms. Armentrout gave the facts of the Variance request. The property is approx: 17 acres and located on the Northwest side of Alton Road, between Hall Road and Murnan Road. The property is zoned R-2 and surrounded by Rural on the North and South, R-2 on the East and SER on the West. They are seeking a variance from Section 1002. The purposed new home would be approx: 3776 sq. ft. with a 3 car garage. Current home is a modular home with about 1500 sq. ft. The applicant is aware that the proper permits must be obtained from the Franklin County Board of Health and Franklin County Soil and Water conservation district prior to construction.

Ms. Armentrout showed pictures of the property and proposed elevation and plot plan to show placement of the new house.

Speaking for was Roberto Cordero (Applicant) who stated that he is trying to help the owner because of language barrier. Owner is trying to build new home next to existing house. He is not trying to have 2 houses but needs about 6 months until the new house is finished.

Speaking was Natalie Jennings (1200 Alton Road) and asked who lives in the house now and if there will be two families living in the house once the new home is finished. Mr. Cordero said that the owners cousins live there now and the plan is to move the modular home to another location after new home is built. There will only be one house on the property.

Speaking was William Queen (1109 Alton Road) and wondered what was the assurance that the old home would not remain on the site after construction on new home. Chairman O'Loughlin explained

that there would be an end cap, so that everyone would know by what date the old home must be removed.

Speaking was Lynn Swicegood (1124 Alton Road) asked for clarification as to who was the owner of the property. Mr. Rodriguez is owner of the property.

The Board continued to have discussion on what dates and timelines to use for construction to be finished and the move or demolition of the old home.

Mr. Owsley made a motion to accept the Variance as presented with the addition:

- 1) The six (6) months after certificate of occupancy not exceed January 1, 2020

Ms. Overla seconded the motion.

Roll Call Vote:	Mr. Steele	For
	Mr. Owsley	For
	Ms. Overla	For
	Mr. Gallaer	For
Chairman	Mr. O'Loughlin	For

The Variance is Approved

Adjournment: 7:38 pm

Submitted by Bill Gallaer

