

Held

April 3,

2008

ADJUDICATORY HEARINGS

The adjudicatory hearings were called to order by Chairman Goll at 6:30 p.m. on April 3, 2008 at the Etna Township Hall. The meeting was audio and video taped for township records. Michelle Weber, Rick Cox, David Goll, Cheri Rogers, Phil Chew, and clerk Laura Brown were present.

The purpose of the hearings was to consider a variance and a conditional use for 9000 Mink Road submitted by the Reynoldsburg Youth Football. The conditional use is to allow the property to be used for youth football and the variance is for the parking lot to be gravel as opposed to being paved.

Chairman Goll explained the process and the principles who wanted to testify and present evidence were sworn in all other witnesses will be sworn in as they give their testimony. Craig Lascola and Brandi Frye representing Reynoldsburg Youth Football mailing address PO Box 1104, Reynoldsburg, OH 43068; and Dallas Maynard previous Zoning Inspector for Etna Township were sworn in.

Craig Lascola stated Reynoldsburg Youth Football purchased the property at 9000 Mink Street in December of 2003. Prior to the purchase they came to the township and spoke with Dallas Maynard regarding the use. The letter from Dallas Maynard referenced Section 905 Paragraph F provides "Public Parks and Playgrounds" as a permitted use in R-2 zoning district.

Craig Lascola stated when they purchased the property the text requiring paving was not in the zoning resolution at that time. He asked the board to allow them to gravel the parking and pave the parking as they can afford. If required they could pave some of the parking now but would like to use the money to gravel the entire parking area. The parking would go along the tree line in both directions. A drawing was provided with their application that the board reviewed. It was discussed that the cars travel slower in a gravel lots which is safer for the children. The gravel is more favorable for water run off.

Dallas Maynard stated he did review this matter with them. Due to the ambiguity of the zoning resolution he felt it was open for him to interpret. In nearly all of the zoning districts public parks and playgrounds were allowed as permitted uses. It was his opinion that the Zoning Commission was leaving this open for playgrounds and things of this nature. The November 28, 2003 letter from Dallas Maynard was submitted as **Exhibit #1**.

Tom Branham of 8982 Mink Street was sworn in to provide testimony. He has concerns with the deed zoning to his property being changed and he is concerned that the application for the football field went to the county first and he felt they went around the township. Mr. Branham read a response to his letter to the Licking County Board of Commissioners. Mr. Branham provided a copy of the letter from Licking County Commissioners dated July 5, 2007 along with a copy of the Major Development Review Permit application from the Licking County Planning Commission dated March 21, 2006; this was submitted as **Exhibit #2**. Mr. Branham is concerned with traffic, parking, and bathroom facilities. He would like to see bathroom facilities for the kids to be able to wash their hands; he does not want to see port-a-johns.

Craig Lascola stated the league does plan to use 4 port-a-johns. They are restricted because of the flood plain where they can build restroom facilities. The port-a-johns are only there seasonally from mid July to October.

David Goll stated this board does not handle zoning changes the deed zoning question would have to be addressed with the Zoning Commission.

Tom Krichbaum 9234 Mink Street was sworn in and has requested a fence or barrier between the ball field and the creek to keep the children out of the creek.

John Gilmore 284 Ballman Road was sworn in. He has concerns with the parking. Craig Lascola stated they have twenty football teams with four teams playing at one time and ten cheerleaders at each game. They have back to back games averaging eighty football players with ten cheerleaders. The league had a total of 560 kids last year. Craig stated the league will provide adequate parking.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 1048

Etna Township Board of Zoning Appeals

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David Goll asked for a calculation of how many cars could park on the site. Craig Lascola stated he could get with Chris Harkness to determine how many cars could park on the site.

Rick Cox moved to close the public testimony portion of the hearing at 7:05 p.m. Philip Chew seconded. Roll call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Philip Chew, yes. Motion passed 5-0.

Rick Cox stated for this application he would rather they gravel the parking. David Goll stated this would help with the water run off. Craig Lascola stated the County will require the drive being paved 180 feet back.

Cheri Rogers inquired regarding signage. Craig stated they are not planning on signs but did obtain a permit for score boards.

If lights are used they would not be permanent lights; they have used portable lights in the past for one night game. The board discussed constructing a fence between the field and the creek.

Cheri Rogers verified that they are in compliance with the 25 foot setbacks required and the drainage will be constructed to flow into the creek and not into neighboring properties.

The league will use four port-a-johns that are emptied once a week. The concession stand trailer is locked. The port-a-johns will be there from mid July to October. The port-a-johns can be secured to keep them from being tipped over.

The games start at 9:00 a.m. and run to approximately 4:30 p.m. Practices are from 6:00 p.m. to 8:00 p.m. Monday thru Friday. The grass is maintained once a week during the playing session and will be mowed as necessary for the off season. The entrance will be chained off during the off season and currently there are no plans to use the property at this time. The board discussed parking and stated they did not want parking along Mink Street. Rick Cox stated if the property was sold to a profit agency that the conditional use be should be addressed. Philip Chew suggested making the conditional use permit non-transferable. The games are scheduled an hour and a half apart. The games run sixty to seventy-five minutes. This does allow for overtime but rarely does overtime occur. Cheri Rogers discussed adding another fifteen minutes to half an hour between games. Craig stated it makes the season longer and the lights are not available for every game. The season ends the third week in October. Cheri Rogers discussed parent volunteers to direct traffic. The handicap parking was discussed.

Rick Cox stated the fence may not be permitted in a flood plain. The board discussed the issues of requiring a fence by the creek as part of the conditional use. It was decided not to require it.

Philip Chew moved to grant the conditional use permit to Reynoldsburg Youth Football at 9000 Mink Street based on the text amendment dated February 19, 2008 with the following conditions: Chained entrance when field not in use, 25 ft set back maintained for side and rear per Article 10 Section 1012, maintained gravel parking lots, port-a-john facilities secured if tipping problems arise, port-a-johns maintained for sanitary purposes, property maintained overall, parking attendants if deemed necessary, this conditional permit is non-transferable. Rick Cox seconded. Roll Call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Philip Chew, yes. Motion passed 5-0.

Rick Cox moved to approve the variance for the gravel parking. Prior to the final order being signed Reynoldsburg Youth Football must provide a sketch plan of available parking in the area that will include projected parking times. Michelle Weber seconded. Roll Call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Philip Chew, yes. Motion passed 5-0.

Cheri. Rogers motioned to adjourn the meeting at 7:44 p.m. Michelle Weber seconded. Roll Call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Philip Chew, yes. Motion passed 5-0.

Approved as read April 22, 2008

Approved as corrected/amended _____

Laura Brown
Laura Brown, Clerk

David Goll
David Goll, Chairman