

Regular Meeting  
Thursday, April 25, 2013

Springview Government Center  
3130 E. Main Street  
Springfield, Ohio 45505

Mr. Jeff Horne, Chairperson of the Board of Zoning Appeals, calls the meeting to order at 2:00 p.m.

Present: Mr. Jeff Horne, Mr. Don Wallace, Mr. Tim Greenwood, Mr. Jack Spurlock, Mr. Rick Smith and Mr. David Minard.

Absent: None.

Also Present: Mr. Allan Neimayer, Clark County Community Development, Mr. Terry Shaffer, Zoning Inspector and other interested persons.

Chairperson Horne asks if there are any comments regarding the minutes. Hearing none, he asks for a motion to approve the minutes.

**BZA: 4-15-2013: Minutes ~ March 28, 2013**

Motion by Mr. Wallace, seconded by Mr. Spurlock to approve the minutes as presented.

***VOTE: Motion carries unanimously.***

Chairperson Horne explains how the meeting will be held. Everyone will need to sign in that will be speaking. Staff will present the report and the Board will ask questions to the staff. The proponents will be able to speak followed by the opponents. Everyone will be sworn in before they speak. Rebuttal by the Applicant will follow, if desired.

Chairperson Horne asks the Board if anyone needs to abstain. Hearing none, he asks the staff to present the case.

**BZA-2013-7: Variance Case ~ Brad Edmunds ~ Located at 3419 Sandalwood Avenue ~ Moorefield Township**

Mr. Neimayer, Senior Planner, presents the staff report and accompanying maps. The subject property is zoned A-1 (Agricultural District) and located at 3419 Sandalwood Avenue in Moorefield Township. The subject property is 0.99 acres in size. The Applicant is requesting a variance to Chapter 8, Section B, 6, a) to increase the maximum size of an accessory structure from 800 sq. ft. to 1,680 sq. ft. to construct a 30 ft. by 56 ft. pole barn.

The surrounding zoning to the north, south, east and west of the subject property is A-1 with land use being residential. The subject property is within the Knolls Subdivision.

The Applicant, on Monday of this week, advised staff that he was revising the location of the structure and moving it 15 ft. to the south of what was originally proposed. This relocation is due to the maintenance and access of a propane tank that sits just east of the proposed pole barn.

The Clark County Zoning Regulations state:

TABLE 8.1 – Accessory Building Development Standards [eff. 11-6-08]



Lot Size	Maximum Size of Accessory Building(s)	Maximum Height	Set-Back From Side or Rear Property Lines (When located in rear yard)
Under one (1) acre	800 square feet	18 feet	5 feet
Equal to or greater than one (1) acre but less than two (2) acres	1,600 square feet	20 feet	5 feet
Equal to or greater than two (2) acre but less than three (3) acres	2,400 square feet	25 feet	10 feet
Equal to or greater than three (3) acre but less than four (4) acres	3,200 square feet	25 feet	10 feet
Equal to or greater than four (4) acre but less than five (5) acres	4,000 square feet	25 feet	10 feet
Five (5) or more acres (non-agricultural)	4,800 square feet	25 feet	10 feet

The Clark County Engineer’s Department has reviewed the variance request and has no objections.

The Clark County Combined Health District has reviewed the variance request and reported that the proposed structure is 16 ft. away from the nearest septic component and there is adequate room for replacement leaching with the addition of the pole barn according to current regulations. He would caution the homeowners in that they may not have a sufficient replacement area with future regulations. The Ohio Department of Health has DRAFT sewage rules with wording that would indicate that there may not be sufficient length along contour for a replacement leaching system with the location of the pole barn should the draft regulation go into effect. This may have an impact on this particular lot as well as many other lots in Clark County.

Staff received a letter from Todd Diehl who lives at 3441 Sandalwood Avenue which is located just to the east of the subject property. He has expressed concerns with the size and location of the proposed pole barn.

There are other properties in the subdivision that have accessory structures larger than 800 sq. ft. and some of them exceed 1,600 sq. ft. From September 1998 to November 2008, accessory structures were allowed up to 1,600 sq. ft. regardless of lot size. The 2008 zoning text amendments (effective 11-6-2008) adopted Table 8.1 Accessory Building Development Standards, which limits the maximum size of accessory structures for lots under one acre to 800 sq. ft. A search of the structures in the

subdivision that exceed the old and current zoning regulations resulted in only one variance case within the database that goes back into the mid 1990's.

Mr. Neimayer asks if there are any questions from the Board members.

Mr. Spurlock stated there was mention of a ten foot utility easement along the western lot line. Does that have an impact on the variance request?

Mr. Neimayer responds no. That is a general utility easement located on the opposite side of the property and is typical in a subdivision such as this one.

Chairperson Horne asked of the last variance granted for something like this was in the mid 1990's.

Mr. Neimayer responds that the only variance in the database (database goes back to the mid 1990's) was the corner lot. The existing structures basically are legal non-conforming structures on the lots because of the old regulations that allowed up to 1,600 sq. ft. structures opposed to current regulations that only allow up to 800 sq. ft. for accessory structures.

Chairperson Horne asks if the Board has any further questions for Staff.

There are none.

Chairperson Horne opens the public hearing at 2:08 p.m. and asks if there are any proponents wishing to speak in favor of the case.

There are none.

Chairperson Horne asks if there are any opponents.

Mr. Todd Diehl, whose address is 3441 Sandalwood Avenue, states that one of his biggest concerns was addressed in that the Applicant is moving the structure back further. He felt the original placement of the pole barn was too close to his residence as well as Mr. Edmunds residence. Many of the existing pole barns of that size in most cases sit more into the back area of the properties.

Chairperson Horne asks if there is anyone else that would like to speak.

Mr. Brad Edmunds (Applicant), whose address is 3419 Sandalwood Avenue, states that he built his house 16 years ago and with that he poured a driveway that goes around to the back with the hopes of putting a pole barn up at the edge of the concrete. He states that there is adequate room for both the pole barn and a backup leach field if he should ever need it. The pine trees located along the east side of the property will cover up about 90% visibility of the pole barn. The neighbor across the street built a pole barn back in 2002-2003 when the maximum size was 1,600 sq. ft. and his pole barn is actually 2,400 sq. ft.

Mr. Wallace asks if the Applicant is certain that there will be sufficient recovery area if the new DRAFT regulations go into effect.

Mr. Edmunds responds by showing the recovery area that he currently has on the map displayed. He also states that his house is the most recent built in the subdivision – built in 1997. All of the other houses were built in 1973. His leach field is the most updated to current codes.

Mr. Smith asks if Mr. Edmunds is going to retain the other out building that is on the property.

Mr. Edmunds responds yes. It is just a small shed that is approximately 190 sq. ft. He has a boat, four trailers and a car that he would like to get out of the outdoor eliminates.

Mr. Wallace asks if there is any knowledge to failing septic systems in the immediate area.

Mr. Edmunds responds that he is unaware of the condition of his neighbor's septic systems. He has his routinely pumped every four years.

Mr. Wallace asks if he has spoken with any of his neighbors regarding constructing the pole building.

Mr. Edmunds responds no. With all the other pole buildings in his neighborhood, he did not think it would matter. He does not have anywhere else on his property to put it.

Mr. Smith asks what the height of the pole building will be.

Mr. Edmunds responds that it will have a 14 ft. ceiling. The overall height of the building will be 17' to 18' feet.

Chairperson Horne asks if there is anyone else that would like to speak.

Mr. Wallace asks that he would like to hear more from Mr. Diehl. His sense was that moving the barn back a little bit had reduced his concern for its placement.

Chairperson Horne asks Mr. Diehl to come forward before the Board.

Mr. Diehl states that Mr. Edmunds did tell him he was going to build a structure. The concern he has now that was just brought to his attention is the height of the structure being 17 feet. Mr. Edmunds is correct in that moving the structure back the tree line will hide the structure somewhat. Should any of the pine trees that run along our common property line, which are 10 feet to 14 feet high, come down during a bad storm, the structure would be more visible and the size may become more imposing. The only other concern there would be is that the runoff water from his property tends to move toward the area of where the proposed structure is going.

Chairperson Horne closes the public hearing at 2:22 p.m.

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Hearing no further questions, Chairperson Horne asks the Board for a motion.

**BZA: 4-16-2013: BZA-2013-7 ~ Variance Case ~ Brad Edmunds ~ Located at 3419 Sandalwood Avenue ~ Moorefield Township**

Motion by Mr. Minard, seconded by Mr. Spurlock, to **Approve** the Variance request as presented.

**VOTE: Motion carries unanimously.**

**BZA-2013-8: Variance Case ~ Marvin Grout ~ Located at 10138 New Carlisle Pike ~ Bethel Township**

Mr. Neimayer, Senior Planner, presents the staff report and accompanying maps. The subject property is zoned A-1 (Agricultural District) and located at 10138 New Carlisle Pike in Bethel Township. The subject property is 1.5 acres in size. The Applicant is requesting a variance to Chapter 8, Section B, 6, b) to increase the combined size of accessory structures from 1,600 sq. ft. to 2,712 sq. ft. to construct a 30 ft. by 40 ft. (1,320 sq. ft.) pole barn. The pole barn would be located adjacent to an existing 30 ft. by 44 ft. pole barn in the northeast corner of the property.

The surrounding zoning to the north, west and east of the subject property is A-1 with land use being agricultural. To the south is B-4 'S' with land use being business with a specific use and A-1 with land use being agricultural use.

The Clark County Zoning Regulations state:

TABLE 8.1 – Accessory Building Development Standards [eff: 11-6-08]



Lot Size	Maximum Size of Accessory Building(s)	Maximum Height	Set-Back From Side or Rear Property Lines (When located in rear yard)
Under one (1) acre	800 square feet	18 feet	5 feet
Equal to or greater than one (1) acre but less than two (2) acres	1,600 square feet	20 feet	5 feet
Equal to or greater than two (2) acre but less than three (3) acres	2,400 square feet	25 feet	10 feet
Equal to or greater than three (3) acre but less than four (4) acres	3,200 square feet	25 feet	10 feet
Equal to or greater than four (4) acre but less than five (5) acres	4,000 square feet	25 feet	10 feet
Five (5) or more acres (non-agricultural)	4,800 square feet	25 feet	10 feet

The Clark County Engineer’s Department has reviewed the variance request and has no objections.

The Clark County Combined Health District has reviewed the variance request and has no objections.

The Clark Soil and Water Conservation District has reviewed the variance request and has no objections.

Staff did receive a call from one of the surrounding property owners by the name of Karen Gibson whose address is 1527 Funderburg Road. She stated that she had no objections to the variance request.

Mr. Neimayer asks if there are any questions from the Board members.

There are none.

Chairperson Horne asks if the Board has any further questions for Staff.

There are none.

Chairperson Horne opens the public hearing at 2:26 p.m. and asks if there are any proponents wishing to speak in favor of the case.

Mr. Marvin Grout (Applicant), whose address is 10138 New Carlisle Pike, states he is asking for the additional building space is because over the past years he has had a hangar at the New Carlisle Airport. He no longer flies and the hangar has become an additional expense to keep it. He feels it would be a wiser investment to store trailers and boats on his own property and has actually sold the hangar.

Mr. Spurlock asks if the addition will be a separate addition standing by the existing building or will it be tied to it.

Mr. Grout responds that he would like it to be attached to the existing building and have one large structure.

Mr. Greenwood asks what is behind Mr. Grout's property.

Mr. Grout responds that it is all farm land.

Chairperson Horne asks if there is any problem with attaching the additional structure to the existing one.

Mr. Neimayer responds there is none as long as the building codes are followed.

Chairperson Horne asks if there are any opponents.

There are none.

Chairperson Horne closes the public hearing at 2:28 p.m.

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Hearing no further questions, Chairperson Horne asks the Board for a motion.

**BZA: 4-17-2013: BZA-2013-8 ~ Variance Case ~ Marvin Grout ~ Located at 10138 New Carlisle Pike ~ Bethel Township**

Motion by Mr. Wallace, seconded by Mr. Greenwood, to **Approve** the Variance request as presented.

**VOTE: Motion carries unanimously.**

**BZA-2013-9: Variance Case ~ Michael & Pamela Sheets ~ Located at 170 N. Dayton-Lakeview Road ~ Bethel Township**

Mr. Neimayer, Senior Planner, presents the staff report and accompanying maps. The subject property is zoned A-1 (Agricultural District) and located at 170 N. Dayton-Lakeview Road in Bethel Township. The Applicants are requesting a variance to Chapter 2, Section A, Footnote #6 to increase the 4:1 lot depth to width ratio, and a variance to Chapter 2, Section A to reduce the frontage requirement from 150 ft. to 25 ft. Approval of the two variances would allow the Applicants to split off the house site from the farm land. The subject property is currently 21.72 acres. The proposed house site would be 4.178 acres leaving 17.542 acres in farmland.

The surrounding zoning to the north and east of the subject property is A-1 with land use being agricultural and R-1 residential use. To the south and west is B-2, B-2'S', B-3 with land use being Business and A-1 and R-4'S' with land use being agricultural and residential use.

The majority of the property is located in the flood plain. The land use of the property is farming which is an appropriate use for what land is in the flood plain.

The Clark County Zoning Regulations state:

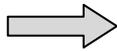
<p>SECTION A [eff: 4-4-96]</p> <p style="text-align: center;">AGRICULTURAL DISTRICT A-1</p> <p style="text-align: center;"><i>REFERENCES TO FOOTNOTES (Restrictions)</i> <i>[Right Hand Column on Table]</i></p>
<p>6. No parcel of land in this district shall be used for residential purposes, which has an area of less than one (1) acre. All lots or parcels under five (5) acres, the depth of such lot or parcel shall not exceed an amount equal to four (4) times its width [eff: 10-17-85]. No new lot or lots shall be created by the platting of a subdivision in the A-1 District. [eff: 4-4-96]</p>

SECTION A  
[eff: 12-1-05]

AGRICULTURAL DISTRICT

A-1 AGRICULTURAL

PRINCIPAL PERMITTED AND CONDITIONED USES:	MINIMUM ZONING LOT REQUIREMENTS						MAXIMUM HEIGHT		FOOTNOTES (Restrictions)
	LOT SIZE (Area)	FRONTAGE WIDTH * (feet)	FRONT (Setback) **	SIDE		REAR (Setback)	(Feet)	(Stories)	
				LEAST WIDTH	SUM of BOTH				
1. Agriculture, Farm Markets, Agricultural-Related Processing & Marketing & related buildings & structures	1 Acre	150	50	30	60	50	35	2	1, 2, 3, 5, 5a, 8, 16, 31
2. Single-Family Residential EXCEPTIONS TO 40 acre –	40 Acre	500	40	25	60	60	35	2	2, 5, 5a, 6
a. Single-Family Residential (restricted to lotsplits)	1 Acre #	150	40	25	60	60	35	2	2, 5, 5a, 6
b. Single-Family Residential (restricted to cluster lotsplits) [eff: 12-17-09]	1 Acre #	--	40	25	60	60	35	2	2, 5, 5a, 6
3. Private Landing Field	--	--	--	--	--	--	--	--	7
4. Day-Care Homes	--	--	--	--	--	--	--	--	2, 5, 26
5. Bed and Breakfast [eff: 4-2-2000]	--	--	--	--	--	--	--	--	2, 5, 30
	# Maximum LOT SIZE – 4.99 Acre								



The Clark County Engineer’s Department has reviewed the variance request and has no objections.

The Clark Soil and Water Conservation District has reviewed the variance request and has no objections.

The Clark County Combined Health District has reviewed the variance request and reported to staff that they have verified that the utilities will remain within the proposed lot split as presented.

Mr. Neimayer asks if there are any questions from the Board members.

Mr. Wallace asks if there is any difficulty with the 25 ft. entrance with regards to emergency vehicle access.

Mr. Neimayer responds he does not believe so. A 25 ft. access is the standard for cluster lot splits.

Chairperson Horne asks so with a cluster lot split, a configuration such as the one presented would be permitted.

Mr. Neimayer responds yes it would, as far as the frontage is concerned.

Mr. Horne states that from the back ground he has and the changes in the zoning on the 4:1 depth to width ratio there use to be a lot of these “bowling alley” type lots. People would use the front of the lot and let the back go become a dumping ground. It would eventually become an “eye sore.” What he sees in this case is that the Applicant will be utilizing most of the lot.

Mr. Neimayer responds yes. He also believes that the Applicant has utilized the land in the very back for a garden.

Chairperson Horne asks if the Board has any further questions for Staff. There are none.

Chairperson Horne opens the public hearing at 2:34 p.m. and asks if there are any proponents wishing to speak in favor of the case.

Mr. Mark Scholl (Representative for the Applicants), whose address is 1533 Moorefield Road, states that Michael and Pam Sheets are the owners of the 21.72 acre property. Mr. Sheets works north of Columbus in the Commercial Ag Business and they have owned the subject property for quite a while. His wife Pam works in the Tecumseh School District. They are looking to sell the proposed 4.18 acre house site so they can move closer to his work. Mr. Sheets currently lives in Columbus during the week and commutes home on the weekends. The Sheets feel that splitting the property in this manner would give them a better chance of making the house more marketable to a potential buyer. They did not want to take the required minimum 150 ft. of frontage and take up almost an acre of tillable farm land. They are hoping to sell all of the tillable ground to the farmer who is farming the land now or to another potential buyer. This was the most logical solution and with the existing driveway where it is located, it is a shared approach with the neighbor to the north. Rt. 235 (N. Dayton-Lakeview Road) is a very busy road. It has a very wide driveway approach that is within the Rt. 235 road right-of-way.

Mr. Smith asks if access to the farm land is going to be shared as well.

Mr. Scholl responds that there is currently an access to the farm land just south of the existing driveway that is a driveway ramp the farmer uses to get in and out of the field. That was put in when Rt. 235 was widened to a 125 ft. to 130 ft. right-of-way. That would have been put in to ODOT's specifications for Rt. 235.

Mr. Spurlock asks of the little finger land that comes down to Rt. 40 is there an access point there also or not.

Mr. Scholl responds that there is no physical access. That is just a grassy area. He is unsure of why that was left when they did those particular lot splits. The grassy strip may have been left there for access to the farm land.

Chairperson Horne asks if there are any opponents.

There are none.

Chairperson Horne closes the public hearing at 2:39 p.m.

Hearing no further questions, Chairperson Horne asks the Board for a motion.

**BZA: 4-18-2013: BZA-2013-9 ~ Variance Case ~ Michael & Pamela Sheets ~ Located at 170 N. Dayton-Lakeview Road ~ Bethel Township**

Motion by Mr. Greenwood, seconded by Mr. Smith, to **Approve** the Variance request as presented.

**VOTE: Motion carries unanimously.**

**BZA-2013-10: Variance Case ~ David Flora ~ Located at 5550 Fowler Road ~ Mad River Township**

Mr. Neimayer, Senior Planner, presents the staff report and accompanying maps. The subject property is zoned A-1 (Agricultural District) and located at 5550 Fowler Road in Mad River Township. The subject property is 6.08 acres in size. The Applicant is requesting variances to Chapter 8, Section B, 3, a) to allow an accessory structure in the front yard, and to Chapter 8, Section B, 3 b) to increase the combined size of accessory structures from 4,800 sq. ft. to 4,896 sq. ft. Approval of the two variances would allow the Applicant to construct a 20 ft. by 40 ft. covered outdoor kitchen with a bathroom and storage area.

The surrounding zoning to the north, south, west and east of the subject property is A-1 with land use being agricultural.

The subject property was originally two separate parcels consisting of 3.6572 acres and 2.4196 acres. Recently, the Applicant combined those two parcels in order to comply with the combined maximum size limit of accessory structures for lots greater than five acres. The property currently has a 64 ft. by 64 ft. (4,096 sq. ft.) pole barn in the rear yard with a lean-two. The Applicant had intended to remove the lean-two in order to comply with the combined size limit. After discovering the proposed location of the outdoor kitchen/storage area project would be in the front yard of a corner lot, the Applicant chose to request a variance to the location and to the combined size of accessory structures.

The Clark County Zoning Regulations state:

TABLE 8.1 – Accessory Building Development Standards [eff: 11-6-08]

Lot Size	Maximum Size of Accessory Building(s)	Maximum Height	Set-Back From Side or Rear Property Lines (When located in rear yard)
Under one (1) acre	800 square feet	18 feet	5 feet
Equal to or greater than one (1) acre but less than two (2) acres	1,600 square feet	20 feet	5 feet
Equal to or greater than two (2) acre but less than three (3) acres	2,400 square feet	25 feet	10 feet
Equal to or greater than three (3) acre but less than four (4) acres	3,200 square feet	25 feet	10 feet
Equal to or greater than four (4) acre but less than five (5) acres	4,000 square feet	25 feet	10 feet
Five (5) or more acres (non-agricultural)	4,800 square feet	25 feet	10 feet



The Clark County Engineer’s Department has reviewed the variance request and has no objections.

The Clark Soil and Water Conservation District has reviewed the variance request and has no objections.

The Clark County Combined Health District has reviewed the variance request and reported to Staff that as long as there is no residential use, it can connect to the existing on-site utility systems.

The Applicant submitted photos to illustrate that the proposed location of the new accessory structure would be heavily screened by view from both Fowler Road and Fairfield Pike by existing mature trees.



Photo #1; It's a view of the front of the house...taken from Fowler Rd.

The purpose of the picture is to note the mature trees to the right of the house. They completely hide the area where the structure will be built.



Photo #2; taken right near the corner of Fowler Rd. and Fairfield Pike.

From this view, you can't even see the house...let alone the yard where the structure will be built.



Photo #3; taken from Fairfield Pike

The purpose of all these pictures is to illustrate that the area where the structure will be build is nearly impossible to view from any angle as you drive on either Fowler Rd. or Fairfield Pike. There should be no visual impact to the neighborhood from this project.

Mr. Neimayer asks if there are any questions from the Board members.

Mr. Wallace asks for clarification as to what on-site utility systems are.

Mr. Neimayer responds that on-site utility systems are your well, septic and leach field.

Mr. Spurlock asks approximately how far from the existing road frontage is this structure going to be located.

Using the County GIS, Mr. Neimayer responds from the centerline of Fowler Road it is approximately 235 feet. To the centerline of Fairfield Pike is around 230 feet. If these were two separate lots we would be looking at a side yard area. But because of the definition of a corner lot, the structure will be in the front yard area. Either way it still requires a variance.

Chairperson Horne asks if the Board has any further questions for Staff.

There are none.

Chairperson Horne opens the public hearing at 2:47 p.m. and asks if there are any proponents wishing to speak in favor of the case.

Mr. David Flora (Applicant), whose address is 5550 Fowler Road, states that he is an avid volley ball player. He always told himself that if he owned property with acreage he would put in a volley ball court in. Along with that came the need for an outdoor restroom facility. He also has an in-ground swimming pool. The proposed structure would also serve as a nice outdoor entertainment area without dragging sand into the house.

Chairperson Horne asks if the Board has any questions for the Applicant.

There are none.

Chairperson Horne asks if there are any opponents.

There are none.

Chairperson Horne closes the public hearing at 2:48 p.m.

Hearing no further questions, Chairperson Horne asks the Board for a motion.

**BZA: 4-19-2013: BZA-2013-10 ~ Variance Case ~ David Flora ~ Located at 5550 Fowler Road ~ Mad River Township**

Motion by Mr. Smith, seconded by Mr. Minard, to **Approve** the Variance request as presented.

**VOTE: Motion carries unanimously.**

**BZA-2013-11: Variance Case ~ Oakley Grigsby, Jr. ~ Located at 3315 Pitchin Road ~ Green Township**

Mr. Neimayer, Senior Planner, presents the staff report and accompanying maps. The subject property is zoned R-1 (Rural Residence District) and located at 3315 Pitchin Road in Green Township. The subject property is 0.92 acres in size. The Applicant is requesting variances to Chapter 8, Section B, 6, a) to increase the size of an accessory structure from 800 sq. ft. to 1,320 sq. ft. to construct a 30 ft. by 44 ft. pole barn to replace the existing garage.

The surrounding zoning to the north, south, west and east of the subject property is A-1 with land use being agricultural and R-1 with land use being residential.

The Clark County Zoning Regulations state:

TABLE 8.1 – Accessory Building Development Standards [eff: 11-6-08]



Lot Size	Maximum Size of Accessory Building(s)	Maximum Height	Set-Back From Side or Rear Property Lines (When located in rear yard)
Under one (1) acre	800 square feet	18 feet	5 feet
Equal to or greater than one (1) acre but less than two (2) acres	1,600 square feet	20 feet	5 feet
Equal to or greater than two (2) acre but less than three (3) acres	2,400 square feet	25 feet	10 feet
Equal to or greater than three (3) acre but less than four (4) acres	3,200 square feet	25 feet	10 feet
Equal to or greater than four (4) acre but less than five (5) acres	4,000 square feet	25 feet	10 feet
Five (5) or more acres (non-agricultural)	4,800 square feet	25 feet	10 feet

The Clark County Engineer’s Department has reviewed the variance request and has no objections.

The Clark County Combined Health District has reviewed the variance request and reported to Staff that the proposed structure will be 12 ft. wider than that which is already there. So long as the Northeast corner of the new structure matches up with the northeast corner of the existing garage there will not be a problem. If the new structure is shifted to the west it may get too close to the septic system.

The Clark Soil and Water Conservation District has reviewed the variance request and has no objections.

Mr. Neimayer asks if there are any questions from the Board members.

Mr. Wallace asks for clarification when an approval comes through the Health Department, it does mean that they have reviewed the reserve area for recovery.

Mr. Neimayer responds yes.

Chairperson Horne asks if the Board has any further questions for Staff.

There are none.

Chairperson Horne opens the public hearing at 2:52 p.m. and asks if there are any proponents wishing to speak in favor of the case.

Mr. Oakley Grigsby, Jr. (Applicant), whose address is 3315 Pitchin Road, states that the only thing he would like to add is that the pole barn will go in the exact same place as where the garage is currently.

Chairperson Horne asks if there are any opponents.

There are none.

Chairperson Horne closes the public hearing at 2:53 p.m.

Hearing no further questions, Chairperson Horne asks the Board for a motion.

**BZA: 4-20-2013: BZA-2013-11 ~ Variance Case ~ Oakley Grigsby, Jr. ~ Located at 3315 Pitchin Road ~ Green Township**

Motion by Mr. Spurlock, seconded by Mr. Smith, to **Approve** the Variance request as presented.

***VOTE: Motion carries unanimously.***

**BZA-2013-12: Variance Case ~ Opal Fern Smith ~ Located at 11490 Gerlaugh Road ~ Bethel Township**

Mr. Neimayer, Senior Planner, presents the staff report and accompanying maps. The subject property is zoned R-2A (Medium-Density Single-Family Residence District) and located at 11490 Gerlaugh Road in Bethel Township. The Applicant is requesting variances to Chapter 8, Section E, 2, a), 2 to increase the height of an existing privacy fence from 4 ft. to 6 ft., and to Chapter 8, Section B, 3, a) to allow an existing accessory structure in the front yard. The property is Lot #1123 of the Park Layne Manor Subdivision, Section 5, Part 1 and is 0.22 acres in size. This case originated from a zoning complaint.

The surrounding zoning to the north of the subject property is R-2A with land use being residential. To the south is A-1 with land use being agricultural, B-2 business, R-1 and R-2 residential uses. To the east is R-2A and R-4 with land use being residential and B-2 business use. To the west is R-1 and R-2A with land use being residential and B-1 business use.

There are actually two fences in the yard with one fence running along the property line on Gerlaugh Road and Stratmore Street. The shed that is in violation sits in the front corner of the lot and, by zoning definition being a corner lot, it sits in the front yard.

Regarding special circumstances the Applicant is a Widow on fixed income with no finances or means to change the existing fence. The storage building {shed} has been on the property for eight years and was approved when installed. The fence provides privacy and a noise barrier to heavy traffic on Gerlaugh Rd. & Stratmore St. A similar fence has been up for 20 years and was replaced with newer due to severe storm damage.

The Clark County Zoning Regulations state:

Chapter 8, Section E:

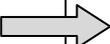
Section E – Required Fencing, Screening, and Landscaping

1. Statement of Intent The intent of this Section is to outline the regulations of fencing, screening, and landscaping which will serve to provide for orderly transition between land uses, to protect and screen private property, to inhibit access to industrial and commercial sites, to give security and privacy to residents, to provide a physical and visual barrier, to reduce wind and modify climate, to define property lines, to identify and emphasize entrances, to create and define outdoor living space, and to generally improve the aesthetic appearance of a site.
  
2. Design Standards
  - a) No fence, wall, or screen may be located in any front yard except as provided below:
    - 1) Hedges not to exceed six (6) feet in height may be located in any front yard, but shall be subject to any traffic visibility requirements imposed by the Zoning Inspector.
    - 2) A fence or wall may be located in any front yard as follows:
      - a) The height of any fence or wall shall not exceed four (4) feet above the ground at any point, except that in instances where single-family homes front on major or secondary thoroughfares, such ornamental fences or walls shall be not more than six (6) feet in height.
      - b) Such fence or wall shall be subject to any traffic visibility requirements imposed by the Zoning Inspector. [eff. 4-4-96]
      - c) Such fence or wall on a corner lot shall be subject to any traffic visibility requirements imposed by the Zoning Inspector.



Chapter 8, Section B:

3. An accessory building shall be erected detached from the principal building. An accessory building, such as garage, which is attached to the principal building, either directly or connected by an enclosed breezeway, is no longer considered an accessory building and must meet the setback requirements of the principal building. [eff. 11-6-08]
  - a) A detached accessory building shall only be erected in a rear yard, except that a private detached garage may be erected in a rear or side yard. If a private detached garage is located in a side yard, the side yard requirements of the principal building shall be met. [eff. 11-6-08]
  - b) Notwithstanding other provisions of the Regulations, a detached accessory building may be constructed in the front yard provided it is at least 300' from the road right-of-way. [eff. 11-6-08]
  - c) Where the natural grade of a lot at the front line of the principal building is such as to result in a driveway having a grade of twelve (12) percent or greater, a private detached garage may be erected within the front yard, but not within six (6) feet of any street right-of-way, provided that at least one-half (½) of the height of such detached garage shall be below the level of the yard, measured at the street level of the front line of the principal building.
  - d) No detached accessory building shall occupy more than twenty-five (25) percent of the area of the required side or rear yard. For computing the percentage of occupancy of a side or rear yard, if a detached building is connected to the principal building by a breezeway, the ground area of such a breezeway shall be considered as a part of the accessory building and shall be included in the computation.



Because the Thoroughfare Plan lists Gerlaugh Road as a secondary arterial/ thoroughfare, a fence in the front yard could be six feet in height. However, a wall or fence on a corner lot shall be subject to any traffic visibility requirements imposed by the Zoning Inspector. In discussing this with the Zoning Inspector, he feels there is a sight visibility issue.

The Applicant submitted a letter dated March 21, 2013 providing additional information about the accessory structures in question. Several addresses were identified by the Applicant as having comparable fences. Photos of these fences were also provided by the Applicant. Staff researched the 22 addresses of properties identified in Applicant's 3-21-2013 letter.



Of those 22 properties, there were 10 lots that have fences in the front yard that exceed four feet in height, two of which are not corner lots. The eight that are corner lots are not located on a major or secondary thoroughfare road. Staff did go out and investigate all 22 properties that the Applicant identified for comparison.

The Clark County Engineer's Department has reviewed the variance requests and reported to Staff that based on safety issues the County Engineer objects to the variance requests.

Again this case originated from a zoning complaint. There were three different complaints made to the department, which is why this case is before the Board.

Mr. Neimayer asks if there are any questions from the Board members.

Mr. Spurlock asks with the recent improvements to Gerlaugh Road, did that change the location of the stop bar on Stratmore Street

Mr. Neimayer responds he is not sure of any change on Stratmore Street. In talking with the County Engineer's Office, the north side of Gerlaugh Rd. west from that intersection has a legal on-street parking area. If there were cars parked in that area that could pose a further issue with site distance.

Mr. Minard asks how long has the fence been up.

Mr. Neimayer responds that it has been up for some time.

Mr. Minard asks if the fence has been up for some time why just now are there complaints being made.

Mr. Neimayer responds that he cannot answer that question. It is just recently that our office received the complaints regarding the fence and the site visibility at that intersection.

Mr. Minard states that the on-street parking looks to be more of an issue with site distance than the fence.

Mr. Neimayer responds that both factor in to the whole issue.

Chairperson Horne asks if there are no provisions for replacing a fence or structure with something that is equal to it.

Mr. Neimayer responds that for structures you could use the same reasoning for a fence. However, he cannot find a prior variance that was issued on the subject property that would have allowed it.

Mr. Spurlock asks if the existing fence was reduced to four feet, would that still impose a site problem.

Mr. Neimayer responds that by zoning code they could have a four foot fence in the front yard, so it should not pose a problem. The County Engineer's Office sites 3.5 feet typically for site distance in their letter. But depending on your vehicle, you could be sitting up higher.

Mr. Greenwood asks if the two out structures are sheds.

Mr. Neimayer responds yes.

Chairperson Horne comments that Staff's report notes that the shed was approved eight years ago.

Mr. Neimayer responds that comment regarding the approved shed was made by the Applicant in their letter. He was unable to track any zoning as to when it was put up or who approved it.

Chairperson Horne asks if the Board has any further questions for Staff.

There are none.

Chairperson Horne opens the public hearing at 3:08 p.m. and asks if there are any proponents wishing to speak in favor of the case.

Ms. Tabitha Dellinger (Representative for the Applicant), whose address is 3436 Valerie Drive in Dayton, Ohio, states that she is speaking on behalf of her Grandmother, Opal Fern Smith, who could not be in attendance due to health issues. She stated that she lived at the residence with her Grandmother for 13 years. Just a few years ago would be when the parking lane was put in on the north side Gerlaugh Road and there are always cars parked in that parking lane. Even if they were to take the fence down, the parking lane is still going to be just as big of a visibility issue as her Grandmother's fence. The reason for the two fences is because her Grandfather passed away in 2010. A storm came through a year after he passed away and part of the inner fence was knocked down by a 40 foot pine tree. Her Grandmother will not allow the inner fence to be torn down because that is the last thing standing that her Grandfather built. The rest of the fence is the same exact height as the old fence that was there before and stood for 30+ years they have lived there. The shed was put in about eight years ago by her Grandfather. At that time he had approval and pulled the appropriate permits for it. Her Grandmother is very ill and the stress from possibly having to take down the fence is doing a lot more damage to her. The fence is almost her fortress because Gerlaugh Road is a very loud road. In the time frame she lived there with her Grandmother, she has seen about four accidents around that intersection and most of them were caused by people driving on Gerlaugh Road and not coming from Stratmore Street. The only time her Grandmother is active is when she is in her garden. She will not go out and garden if that fence is gone because of the noise. The fence acts as a noise and safety barrier.

Mr. Ed Dow, whose address is 10790 Lower Valley Pike, states that he is in favor of the request. He brings up the issue that is being skirted around and that is sight distance and visibility. He understands that it is in the code and in the engineering world that it is a rule of thumb and good for preliminary planning. The question is, what are the safety factors involved. There have been accidents on Gerlaugh Road as they may well know. But there is no accident that has been presented as evidence that would suggest there

is a sight issue at Gerlaugh and Stratmore. Go one block west of Lemay Street and there are a lot of accidents that occur there and there is a lot of visibility. Go north on Rt. 235 at Troy Road where they are putting in the round-about due to the amount of accidents that have occurred there and that had excellent visibility. Visibility does not guaranty safety. If sight visibility is an issue with the parking lane, then why doesn't the Engineer put up a "no parking" sign? The missing factor in all of this is safety, and driver responsibility is a major factor in accidents. Just because the fence is higher then what zoning limits does not make it unsafe. He does not feel this was properly addressed and that is why he is in favor of approving the request.

Chairperson Horne asks if there are any opponents.

Mrs. Nancy Brown (Chairperson of the Bethel Township Trustees), whose address is 3805 Tecumseh Drive, states at their township trustees meeting on Tuesday evening the trustees discussed the issues of the two cases in Bethel Township that are before the BZA. The trustees felt that the subject case was the only one they wanted to take a firm position on. The trustees voted unanimously to request that the BZA deny this variance request. She also clarified that with regards to complaints made by the snow plow drivers even though the fence has been up for eight years, she states that the fence in question has only been up for a couple of years.

Mr. Minard states that it was a repair to the fence a couple of years ago.

Mrs. Brown states that it in fact was not a repair. There are two separate fences. The previous one was further back and is still in place and was not an issue. The newer one is. Dave Ferris, who is a township trustee and has his commercial driver's license, has gone out and plowed with the township employees. He stated that you had to plow out into the roadway before you could actually see around the fence to tell whether there was any traffic to make a left hand turn. The trustees consider the fence to be a very hazardous situation. When Gerlaugh Road was widened a few years ago, the sidewalk is in the same location as well as the stop sign. Therefore, they did not impinge on the subject property in any way. She also notes that the subdivision regulations state that there are to be no privacy fences located in the front yard. She did drive around and looked at the other properties in the neighborhood that the Applicant submitted that they considered similar. None of those were privacy fences that came out and met the sidewalk in front of the houses. The subject property was the only one like that. The township has had informal complaints about the fence and has referred most of them on to the county because the township has no jurisdiction over the fence. This is a case where the trustees truly feel that the fence is a hazard to the immediate area and needs to be removed.

Mr. Smith asks for clarification that the outer privacy fence along the property line has only been up for the last few years.

Mrs. Brown responds yes and it is up against the chain link fence that runs along the property line. The inner privacy fence that was already there set back further from both roads and did not cause the problem that the newer one is causing.

Mr. Minard asks if the metal pole and the off street parking are obstructing vision opposed to the fence. Was there any question by the township personnel at the time the off street parking was added with regards to sight distance?

Mrs. Brown responds no. The parking strip has been there since Park Layne was built. They did not just create the off street parking strip on Gerlaugh Road. The stop sign and sidewalks are still lined up in the same location after Gerlaugh Road was widened by the County Engineer's Office.

Chairperson Horne states that before when Mrs. Brown spoke about the township snow plow drivers not being able to see in their trucks, he was surprised to hear the difficulty in seeing because they sit up so high in the trucks. From experience he has driven a township dump truck that also had plowing capability and you sit up pretty high and can see a lot compared to drivers in vehicles. He is not questioning whether or not what has been said is actual but it just surprised him.

Mrs. Brown responds that it surprised her to. However, she has had complaints by three of the drivers and one of the trustees.

Mr. Greenwood asks if Mrs. Brown could clarify where exactly the inner privacy fence sits on the property.

Mrs. Brown responds that she is not sure because she actually never noticed the inner privacy fence until they put up the newer one closer to the property lines. She lives about a half mile away and drives by this property every day. It never registered that there was a privacy fence there before because it did not cause any problems or complaints until the newer one went up. And as the newer one was going up that is when they started to hear from people that it was going to cause problems. It is clearly not a repair to the original fence and it is clearly in a different location. You can see the previous privacy fence back on the other side of the shed in the pictures and it appears to have lined up with the front of the house as it should.

Mr. Greenwood asks when Mrs. Brown says "previous" is she referring to the chain link fence.

Mrs. Brown responds that there are three fences on the property. Two are privacy fences and one is a chain link fence.

Chairperson Horne asks how much distance is between the two privacy fences.

Mr. Shaffer responds that it is approximately 20 to 25 feet.

Mr. Neimayer points out on the map the location of the three fences. There was brief questioning amongst Staff and Board members regarding the location of each fence.

Chairperson Horne asks if the Representative for the Applicant has a rebuttal or would like answer any questions that were brought up.

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Ms. Jessica Beeman (Co-Representative for Applicant), whose address is 2150 Corebally Road in Columbus, asks for clarification in that if the request is not approved and the fence cannot be six foot high, can it be cut down to four feet and is there no rule on how close she can have it to the sidewalk or is there a zoning regulation for that distance.

Mr. Neimayer responds that there is no setback from a property line on a fence just as long as the fence is on her property and the height would be four foot.

Ms. Beeman responds that she is unsure that two feet off of the fence would make a difference in terms of visibility. She sits in a sedan and there is no way she can see over a fence that is four feet. She drives to her Grandmothers on occasion and there is more of a problem with the cars in the parking lane then even if there were no fence there.

Ms. Dellinger states for clarification that the inner privacy fence she referred to was a piece of the fence that was salvaged. The fence had very bad damage and the piece you see is the only section that was salvaged for her Grandmother as a memorial to her Grandfather and that was moved back further into the yard. The chain link fence that goes around the house was there when they bought the property. The privacy fence has always touched the chain link fence. She reiterates that the privacy fence was put in as a repair in the same exact place as the damaged one and never moved. Gerlaugh Road is a main connector road that takes you to two major roads and is heavily traveled. The privacy fence is also a barrier for the traffic noise.

Mr. Wallace asks for clarification in that the goal is to improve visibility and by moving the fence inward toward the house that would improve the visibility at that intersection.

Mr. Neimayer responds that the issue is visibility but how far inward would the fence have to be moved to would be between the Zoning Inspector and possibly consulting with the County Engineer on what the proper setback would have to be.

Mr. Wallace responds so a reasonable agreement could actually be made between the Zoning Inspector and the homeowner if the fence is moved to another location in the yard.

Mr. Neimayer responds that it is possible.

Ms. Dellinger states that if the fence has to move the expense of that may be something her Grandmother could not afford being on a fixed income.

Mr. Wallace states that if there is a standard then the Board cannot veer away from that. People's lives may be at risk at that intersection if a safe resolution is not made and that may be to move the fence in further toward the house.

Ms. Dellinger states that she has not seen any accidents caused from people pulling out from Stratmore Street onto Gerlaugh Road except for people on Gerlaugh Road who were speeding and most of them have ended up in Copey's corn field. As far as the

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visibility at that intersection she asks that the Board take into consideration the visibility due from the parking strip which has only been there maybe four or five years and not actually been there “forever” in Park Layne as previously stated. She also states that she is 4’-10” and she sits low in a car no matter what and she has no problem when she pulls into that intersection. At that stop bar she can look left and right and see perfectly fine. She has not even had a close call for that matter.

Mr. Smith asks Mr. Neimayer for confirmation that there is not any record of a variance being granted on the fence from when it was put up.

Mr. Neimayer responds that he was unable to find anything of record.

Mr. Smith asks if the current regulation of six feet in height for a fence in the front yard was the same as eight years ago.

Mr. Neimayer responds that the Design Standards (Chapter 8, Section E, 2) for fencing was part of the original zoning and dates back to 1984. The section regarding traffic visibility requirements was effective on April 4, 1996.

Mr. Wallace states that when those standards change there is a need to respect those standards and incorporate them into the environment especially when there is a complaint found by county and township personnel. How can there be an exception here given the sensitive situation described.

Chairperson Horne asks Mr. Neimayer if there is any record of accidents that have occurred at that intersection specifically the last eight years while this fence has been up. Even if there were none to date, he would still have to think that the potential is there with the sight distance being an issue and it could be the cause of an accident at a future time.

Mr. Neimayer responds that he would have to check with the county and township for that information.

Mr. Dow states that he drives a small car and even if the fence height was reduced to four feet he would not be able to see. You would have to reduce it to three or even two feet. He states there is a conflict between one regulation that says four feet is o.k. but then you need another regulation for sight visibility. So there is a conflict in the regulations in coming to a resolution to this problem. He feels that it comes down to the basic responsibility of the driver. You have to be a defensive driver and that is probably why there have not been many accidents there at that intersection. He is in favor of leaving it the way it is.

Mr. Wallace states that in all fairness that if the height of a driver is 4-5 ft. tall and their vision can be obstructed by a four foot tall fence then maybe the standard needs to be changed so everyone is safe. The current standard of four feet is too high.

Mr. Neimayer clarifies the comments that were made regarding the standard height of four feet for a fence. That is already covered under current regulation where the maximum height is four feet for a fence in the front yard. But, under the current regulations it also states that height is subject to any traffic visibility requirements imposed by the Zoning Inspector. The maximum height is four feet to start with except in the case were it is determined that sight visibility is an issue then that four feet goes down to whatever height is deemed safe by the Zoning Inspector.

Mrs. Brown states that she cannot address the issue of how many accidents have occurred at that intersection. But, she can recall one in particular that happened less than two years ago that involved their fire department's battalion vehicle. Their first responder vehicle with activated lights and sirens that was totaled at that intersection when someone pulled out of Stratmore St. onto Gerlaugh Rd.

Chairperson Horne closes the public hearing at 3:52 p.m.

Chairperson Horne asks who would be responsible for making the parking strip on Gerlaugh Road a no parking area. Also, not knowing the specifications for the stop bar, who would be responsible for changing that as well?

Mr. Neimayer responds that would most likely go back through the County Engineer's Department working with the township for their input as well.

Chairperson Horne comments that he hopes the situation is already being addressed by someone if this has been as item of interest for some time.

Mr. Spurlock comments to Chairperson Horne that the Board has discussed the fence all this time and have not even addressed the shed. The shed is part of the request. Does the Board address the shed separately or will it go along with whatever is decided on the fence issue.

Chairperson Horne states the Board can address it in two ways. That would be one as a whole or one with two parts depending on how the Board wants to make the motion.

Mr. Wallace states that he is unsure on how to make the motion other than to consider the possibility that the Board brings the entire property into compliance with the current regulations. That would mean bringing the fence and the shed into compliance.

Chairperson Horne asks Mr. Shaffer in his opinion that moving the fence back would that help this issue and if so, how far back would it have to go.

Mr. Shaffer responds that it would certainly help the issue in moving the fence back but it would not make much of a difference height wise. He would have to go to the site a measure to make a more precise decision.

Mr. Spurlock asks with regards to the property across the street from the subject property there is a fence that comes down to the sidewalk as well. If the Board approves this one, then what precedence will they set for others?

Mr. Neimayer responds that the Board is only acting on this request that has been filed. There are other properties that have been brought up that may be in violation as well. However, the others would have to be addressed by code complaint.

Mr. Minard comments that this case should possibly be tabled for further review and comments by the County Engineer's Department with regards to the stop bar and parking strip.

Chairperson Horne asks if the stop bar was moved forward and the parking issue was not there, would that help the sight issue. If the Board were to table this request to address those two elements would that have any bearing on the safety and visibility of this.

Mr. Neimayer responds yes he thinks it would. It would be moving in a positive direction but that would be more for the County Engineer's to report back to the Board on those elements.

Mr. Wallace states that sometimes the simplest and best thing to do is to deny the variance and let the parties work things out. Sometimes this results into some usually satisfactory agreement.

Chairperson Horne asks Mr. Wallace what parties would work things out?

Mr. Wallace responds that it would be between the county {departments} and the property owner.

Chairperson Horne questions whether that needs to be a recommendation from this Board to facilitate a resolution to these issues.

Mr. Neimayer reviewed the options available to the Board.

Mrs. Brown asks if she may comment on the stop bar.

Chairperson Horne re-opens the public hearing at 4:04 p.m. and asks Nancy Brown to address the Board.

Mrs. Nancy Brown, states that the Board is going in a positive direction. She comments that the stop bars are put where they are for a specific reason and that is so the cars stop before they get to the sidewalks so they do not hit any pedestrians. She does not think that would be a viable option to move the stop bar forward.

Chairperson Horne closes the public hearing at 4:05 p.m.

Chairperson Horne comments that if the Board would table this request, would it be Staff who addresses the issues with the officials regarding the parking strip and whether or not it is a safe option to move the stop bar up a bit and will that take care of the safety concerns.

Mr. Neimayer responds if the Board gives him that direction then he will continue to work with Staff, the County Engineer's and other who may need to be brought in.

Mr. Smith states that may cure part of the sight problem. However, it does not solve the shed problem. You cannot solve one without also solving the other. Can the Board split up voting on the shed at this time and postponing voting on the fence later.

Mr. Neimayer states that the Board can vote separately on both because they are two separate variance requests. The Board can handle them separately as they see fit.

Chairperson Horne states that what he would like to see from the Board are two options: one option is to have two separate motions with one addressing the fence and the second addressing the storage shed. The second option would be to table the request.

Mr. Wallace states that his approach to this is to move to deny the variance and in turn they would have to look for an alternative solution. He will make the motion to do so.

Chairperson Horne responds that the Board does not make a motion to deny. The motion is made to approve and then vote accordingly.

Mr. Wallace states that he will make a motion to approve and favors a simple motion to act on both variance requests with one vote.

Hearing no further questions, Chairperson Horne asks the Board for a motion.

**[BZA: 4-21-2013: BZA-2013-12 ~ Variance Case ~ Opal Fern Smith ~ Located at 11490 Gerlaugh Road ~ Bethel Township](#)**

Motion by Mr. Wallace, seconded by Mr. Greenwood, to **Approve** the Variance requests as presented.

**VOTE: Motion is Denied unanimously.**

### STAFF COMMENTS

Mr. Neimayer states that the agenda did call for discussion on the proposed zoning definitions. But due to the hour, he would like to postpone that discussion until the next meeting. He hands out to the Board members a graph with information pertaining to accessory structures. The graph represents over the past years the number of cases

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that have come before the Board regarding variances to the size of accessory structures and the results of those cases. The most variance action has been for lots less than one acre. The Board will see with very few exceptions those cases were approved. He asks the Board to take a look at all of the information passed out and this will be discussed in further detail next month along with proposed zoning regulation amendments.

He states there have been three cases filed so there will be a meeting next month. The meeting will be on Thursday, May 23, 2013.

### **ADJOURNMENT**

#### **BZA: 3-22-2013 ~ Adjournment**

Motion by Mr. Wallace, seconded by Mr. Smith, to adjourn the meeting.

***VOTE: Motion carries unanimously.***

The meeting was adjourned at 4:15 p.m.

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Jeff Horne, Chairperson