

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

**REGULAR MEETING
TUESDAY, FEBRUARY 9, 2021 7:00 PM**

This meeting was held virtually.

CALL TO ORDER

The meeting was called to order by Chairperson Steve Flaherty at 7:00 PM.

Mr. Flaherty led meeting attendees in the pledge of allegiance.

BZC members present: Chairperson Steve Flaherty, Vice-Chairperson Jerry Valentine, Mike Bardash, Martin Johnson, 1st alternate Christina Littleton, seated.

BZC members not present: Darcy Kaplan, 2nd alternate Angela Brown.

Also present: Zoning Clerk Lisa Knapp.

Mr. Flaherty reviewed the adopted policy of the BZC, and noted that public comments are limited to three minutes per person. He reviewed the procedures for this hearing. He noted that public comment can be taken via the zoom link on the township website.

AGENDA ITEM: LEGAL NOTICE

Ms. Knapp said this hearing was advertised in the Delaware Gazette on January 26, 2021 as follows:

*BERLIN TOWNSHIP ZONING COMMISSION
NOTICE OF VIRTUAL PUBLIC HEARING*

The Berlin Township Zoning Commission will hold a virtual hearing February 9, 2021 at 7:00 pm in order to consider a application, designated as BZC 21-002 filed by America's Home Place, Emily Hembree, 6918 E. S.R. 37, Sunbury, OH 43074. The applicant is requesting to rezone, Parcel #41814001003002, ±1.263 acres from Neighborhood Commercial District (NCD) to Planned Commercial District (PCD) 6918 E. S.R. 37, Sunbury, OH 43074 to build a new model home for display only. For questions, call David Loveless, Zoning Inspector at 740.548.5217 x103. You can find the text and map on the Berlin Township website www.berlintwp.us.

Please note, this meeting in its entirety will be conducted virtually. Public will have the right to comment by joining the meeting live with an invite link. The link for the meeting will be made available on the township website and the township Facebook page six hours on the meeting date and time. After the conclusion of the hearing, the rezoning matter will be submitted to the Board of Township Trustees for its action. The person responsible for giving notice of the public hearing by publication is Cathy Rippel. Township residents are encouraged to join us virtually.

*BERLIN TOWNSHIP ZONING COMMISSION
Steve Flaherty, Chairman*

AGENDA ITEM: BZC 21-002 AMERICA'S HOME PLACE

Damon Kraus, with America's Home Place, presented the application and answered questions from the BZC. He said he has put the packet together with the application and has had the survey work done. An exhibit has been included that shows that the new model home will fit within the zoning restrictions, including the building setbacks, the building envelope etc. and it will not encroach on easements or other restrictions.

Mr. Kraus said a letter of credit has been included in the packet, as well as a rough time line of when he would like to begin construction. Letters from utility companies and ODOT were also included, and he has checked with the township fire department and the county for the on-site drainage requirements.

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55 Mr. Kraus said the model home would be about 2,200 SF and it would not be used for
56 offices. It will not be hooked up to sewer and water, just electricity and gas for heating
57 and cooling. This is just another model home for customers to be able to walk through
58 and view the product.

59
60 Mr. Flaherty asked him to display the site plan under the survey so people can get an idea
61 of what this looks like. The application is fairly straightforward, and the applicant
62 already has two existing model homes next to it.

63
64 Mr. Kraus displayed the exiting office/model home and the current model home under
65 construction that replaces a prior model, and the new parcel and model home being
66 proposed tonight.

67
68 Mr. Flaherty asked whether it was correct that the parking lot would be extended by 50'.
69 Mr. Kraus said that was correct. Mr. Flaherty noted the lighting was shown on the plan
70 to be downlighting. He asked whether it was correct that the proposed ODOT
71 parkway/interchange would not interfere with this. Mr. Kraus said that was about 1/4
72 mile to the west of the subject property.

73
74 Mr. Bardash asked whether it was typical that the model home would not connect to
75 water and sewer. Mr. Kraus said "yes, it is." The model that is being built to replace the
76 existing model will have water and sewer so there will be facilities available. There will
77 be a total of four restrooms on the property. Mr. Kraus said the zoning for the property is
78 not residential and it will not be sold as such, so it makes no sense to go to that length to
79 hook it up. Mr. Bardash said he was pleased there were no divergences requested.

80
81 Ms. Littleton asked if the home was sold and used as a commercial property, such as an
82 office or another business, are the hookups there? Mr. Kraus said they were and could be
83 hooked up at any time. Ms. Littleton asked whether the temporary sign, which is already
84 up, meets the zoning requirements. Mr. Kraus said it does and that he has already
85 received approval for and permits for that sign. He noted that the sign will be removed as
86 soon as the new proposed model is completed.

87
88 Mr. Johnson said that the Delaware County Regional Planning Commission had
89 mentioned a signage plan, but the text indicates there will be no additional signage. He
90 said the map also shows a proposed new model on the other side, and he asked whether it
91 was correct that model was being dismantled and a new one built. Mr. Kraus said that
92 was correct. Mr. Johnson asked whether the two model homes were on a single parcel.
93 Mr. Kraus said that was correct.

94
95 Mr. Johnson asked what the longterm plan for the property is: would the model be
96 demolished and the property sold for office space? Mr. Kraus was not sure and said it
97 would depend on what happens over time. It was likely that it would probably be
98 demolished and replaced with a new model home. It could be hooked up at any point in
99 time, and he may decide to do that at any point in time.

100
101 Mr. Johnson said the applicant planned to extend the driveway over, and he asked
102 whether the applicant was planning to put parking spaces in front of the new model home
103 as well. Mr. Kraus said the plan shows the extension of the parking lot, and it would be
104 located partially in front of the new model home. Mr. Johnson said he didn't see
105 anything in the zoning resolution specifying a certain number of parking spaces for
106 model homes. He just wanted to ensure there is ample parking for all three model homes.

107
108 Mr. Kraus said this should add about 6 spaces to the existing plan and there is currently
109 ample parking.

110
111 Mr. Valentine asked about the downlighting. Mr. Kraus said the current sign has
112 downlighting that meets the requirements, and there are post lamps to illuminate the

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113 parking spaces at the edge of the parking lot. He just needs to add a couple more with the
114 parking lot extension to ensure it is illuminated enough.

115

116 There were no comments from the public.

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RESOLUTION 2021.02.09#A: APPROVE BZC 21-002 AMERICA'S HOME PLACE

118 Mr. Flaherty made a motion to approve BZC 21-002. Mr. Bardash seconded the motion.
119 Vote: Flaherty, yes; Bardash, yes; Valentine, yes; Littleton, yes; Johnson, yes.

120 Motion carried.

121

122 Mr. Flaherty thanked the applicants for their presentation and noted that the application
123 would be sent onto the township trustees for their further consideration. Zoning
124 Secretary Cathy Rippel will be out of the office for a bit but is available via email to
125 assist.

126

127 Mr. Kraus asked whether he would need to attend the trustee meeting or whether he
128 would find out later that it was approved. Mr. Flaherty said typically, the applicant
129 would attend the meeting virtually and present the application to the trustees. The
130 minutes from this meeting will be passed along to the trustees. They have 30 days to set
131 a hearing and they usually set those quickly. Mr. Kraus thanked the BZC.

132

AGENDA ITEM: APPROVAL OF MINUTES

133 Ms. Littleton made a motion to approve the minutes from the 1/26/21 BZC meeting. Mr.
134 Valentine seconded the motion.

135 Vote: Littleton, yes; Valentine, yes; Johnson, yes; Bardash, yes; Flaherty, yes.

136 Motion carried, minutes were approved.

137

AGENDA ITEM: OTHER BUSINESS

138 Mr. Flaherty said once he is able to share the Google Doc that will help keep track of the
139 potential changes to the zoning resolution and the Comprehensive Land Use Plan that
140 were discussed at the last meeting, he will do so.

141

142 Mr. Bardash expressed concerns, including about cars parking on residential streets
143 during snow emergencies. Mr. Flaherty said the township has parking resolutions based
144 on the width of the streets, and parking in the township is enforced by the sheriff.

145

146 Mr. Flaherty noted that the next BZC meeting will be held virtually on Tuesday, 2/23/21
147 at 7:00 PM.

148

149 There was no further business to come before the BZC.

150 Motion to adjourn. Meeting adjourned.

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Steve Flaherty, Chairperson

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Jerry Valentine, Vice-Chairperson

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Darcy Kaplan, member

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Mike Bardash, member

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Martin Johnson, member

Christina Littleton, 1st alternate member

Angela Brown, 2nd alternate member

Attest: _____
Lisa F. Knapp, Berlin Township Zoning Clerk