

PERKINS TOWNSHIP ZONING BOARD OF APPEALS MEETING

Held By: Perkins Township Zoning Board of Appeals

Place: Perkins Township Complex, 5420 Milan Road

Date: December 21, 2009

Time: 7:15 p.m.

Appl.# BA2009-0011

Board Members Present: Owen Reed, Chairperson
Ralph Roshong, Vice Chairperson
Ted Kastor
J. Thomas Pascoe
Gary Gast
James Lamb, Secretary
Kathy Niehm, Assistant Secretary

Board Members Absent: None

Mr. Reed opened the meeting and welcomed everyone. Mr. Reed led the audience in the Pledge of Allegiance. Ms. Niehm read the application and swore in the following: John Russell, 19111 Detroit Road #201, Rocky River, Ohio. Ms. Niehm read a letter from John Hoty, President of Hoty Enterprises stating that they did not have an objection to the variance.

Mr. Russell made a presentation to the board and stated that they have a signed agreement with Hoty's to use the same entrance as Kalahari as their main entrance. He stated that they are in negotiations to purchase some property just north of the 84 Lumber yard to use as their emergency entrance because they want all the traffic that they generate to be on State Route 250 rather than Taylor Road. Mr. Russell also stated that they would have tree borders done by next week.

Mr. Russell stated that they wanted to modify the original variance request which was to not pave or asphalt all access road and parking lots to requesting a variance to not pave or asphalt the parking stall in the parking lots. He said that after discussing the request with the Fire Chief he now knows that in the interest of safety in getting emergency equipment into and around the park that all access roads, parking lot aisles and driveway need to be asphalt. He further stated that they would asphalt or pave all handicapped parking areas and they would like a condition on the variance that in two years they would pave or asphalt the parking stalls.

It was at this time that Mr. Kastor asked to abstain from the discussion as well as the voting on this variance.

Mr. Reed stated that he did not have an objection to it as long as the Fire Department was happy with the plans. Mr. Lamb asked Mr. Russell how the parking would be stalls would be marked? Mr. Keenan stated that they would have people parking the cars or there would be lines defining the parking stalls.

Mr. Pascoe made a motion to close the Public Hearing and open the Public Meeting. Mr. Gast seconded the motion. Roll Call: Mr. Pascoe, yes; Mr. Gast, yes; Mr. Kastor, abstain; Mr. Roshong, yes; Mr. Reed, yes.

Mr. Roshong made a motion to modify #BA2009-0011, and to grant a variance to American Legends Park to allow the parking stalls only to be constructed of gravel instead of asphalt or concrete with the following conditions:

1. All access roads, driveway aisles, access driveways and handicapped parking will be asphalt or concrete.
2. All access roads, driveway aisles, access driveways and handicapped parking will be constructed to the requirements of the Perkins Township Zoning Resolution and the Perkins Township Fire Department.
3. The variance is good for two years and by spring of 2012 all parking stalls will be asphalt or concrete.
4. The November 25, 2009 letter from Perkins Township Fire Chief Richard Myosky is to be part of this motion and attached to the minutes.

Mr. Pascoe seconded the motion. Roll Call: Mr. Pascoe, yes; Mr. Gast, yes; Mr. Kastor, abstain; Mr. Roshong, yes; Mr. Reed, yes. The motion was approved.

Mr. Pascoe made a motion to amend the site plan approved on application BA2009-0008 dated October 19, 2009 showing the frontage on Taylor Road as 100 feet and to reduce that frontage to 50 feet due to unforeseen circumstances. Mr. Roshong seconded the motion. Roll Call: Mr. Pascoe, yes; Mr. Roshong, yes; Mr. Kastor, abstain; Mr. Gast, yes; Mr. Reed, yes. The motion was approved.

In Other Business:

Mr. Roshong made a motion to approve the minutes from the November meeting. Mr. Kastor seconded the motion. Roll Call: Mr. Roshong, yes; Mr. Kastor, yes; Mr. Gast, yes; Mr. Reed, abstain; Mr. Roshong, yes.

Mr. Reed made a motion to appoint Mr. Roshong as Chairperson for 2010 and Mr. Pascoe as Vice Chairperson for 2010. Mr. Gast seconded the motion. Roll Call: Mr. Reed, yes; Mr. Gast, yes; Mr. Kastor, yes; Mr. Pascoe, yes; Mr. Roshong, yes.

Mr. Roshong made a motion to adjourn. Mr. Reed seconded the motion. Roll Call: Mr. Roshong, yes; Mr. Reed, yes; Mr. Gast, yes; Mr. Kastor, yes; Mr. Pascoe, yes. The meeting was adjourned.

Owen Reed, Chairperson

Kathy Niehm, Assistant Secretary