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2 P R O C E E D I N G S

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4 CHAIRMAN TREFZ: Okay.

5 MR. GAYETSKY: Okay. I'm going to
6 take roll.

7 Mr. Trefz.

8 CHAIRMAN TREFZ: Here.

9 MR. GAYETSKY: Ms. Ross.

10 MS. ROSS: Here.

11 MR. GAYETSKY: Ms. Neff.

12 MS. NEFF: Here.

13 MR. GAYETSKY: Mr. McCoy.

14 MR. MCCOY: Here.

15 MR. GAYETSKY: And Mr. Pax.

16 MR. PAX: (No response.)

17 MR. GAYETSKY: Alright. Well, we
18 have a quorum tonight and we are expecting all
19 five members, so we'll just allow Mr. Pax to
20 come as he's able.

21 CHAIRMAN TREFZ: Yes.

22 MR. GAYETSKY: And feel free to
23 move along into the swearing in at this time.

24 CHAIRMAN TREFZ: Okay. For the

1 anyone who wants to testify, please raise your
2 right hand and be sworn. Do you solemnly
3 swear that the testimony that you shall give,
4 it shall be the truth, the whole truth, and
5 nothing but the truth, and if so, state I do.

6 AUDIENCE: "I do."

7 CHAIRMAN TREFZ: And then when you
8 come up to the podium and the mic, that's the
9 more important, state your full name, address,
10 and that you've been sworn in.

11 MR. GAYETSKY: Well, before I get
12 into the Staff Report, I just, for a general
13 housekeeping announcement, I wanted to mention
14 to those in attendance that we have had the
15 misfortune in the area of a waterline being
16 broken. So you may have noticed all of the
17 repairs and the trucks. That has actually set
18 us up so if you are to need to use the
19 restroom, you would need to go out the main
20 doors and there is a porta potty out there.
21 So I just wanted to put that in everybody's
22 awareness that you would need to go outside
23 for the restrooms tonight.

24 The other housekeeping item, we

1 did have an Agenda sent out earlier and it was
2 updated to reflect that there is no case for
3 VA-CU-25-15 tonight. That is due to the fact
4 that the applicants requested a tabling
5 officially on Tuesday, so that is off of the
6 agenda. And basically we'll just go --
7 proceed down to case order, the rest beyond
8 that.

9 So starting with Case VA-25-23.
10 So, if we're ready, I'll take you all through
11 the Staff Report on that case.

12 Alright. So this is for the
13 property located at 2495 Roe Drive. And this
14 property is a .237 acre parcel. And this is
15 owned by Christopher Mabry. The applicant is
16 Revive My Home Remodeling, Michael Pirwitz.

17 This request entails seeking an
18 Area Variance from Rezoning Case 3752 Cross
19 Creek to allow for a deck to encroach into the
20 30-foot rear yard setback. So the applicant,
21 as stated, is requesting that setback for a
22 proposed new deck. And this property again
23 2495 Roe Drive.

24 The surrounding area in all four

1 directions, the Zoning District is Single
2 Family Planned Residential. To the north,
3 this is Single Family Residences, as well to
4 the south. To the east is Single Family
5 Residences and Roe Drive right-of-way. And
6 then to the west is the Cross Creek HOA open
7 space. Alright.

8 We have a couple aerial views for
9 your reference and context. This is the
10 zoomed-out view, as described in Cross Creek
11 neighborhood. And here's the zoomed-in view.
12 This is backing up again to that open space
13 tree area.

14 In terms of the Staff Review, this
15 is a Variance request from the rear yard
16 setback. Area Variance specifically from
17 Rezoning Case 3752 Cross Creek. This rear
18 yard setback requirement is 30 feet. The
19 proposed deck will encroach 8 feet in the
20 30-foot rear yard setback representing a
21 Variance of approximately 26% from the
22 standards established under Rezoning Case 3752
23 Cross Creek. An existing paver patio extends
24 16 feet from the southwest corner of the home.

1 A 22-foot easement is located along the rear
2 property, and the proposed deck's edge will
3 run parallel to this easement line. The deck
4 will meet the side setback requirement of 12.5
5 feet on both sides.

6 And that Exhibit 1 is the measured
7 Site Plan. So you see that 22-foot distance
8 is the same as the easement that runs parallel
9 with there. And then an approximately 21-foot
10 side yard setback on either side.

11 We took some site photos. We
12 tried to do our best with the recent snowfall.
13 But I'll give Philip credit for these nice
14 labels so you can clearly see the cones
15 delineating rear property line exists -- where
16 that exists, the edge of the proposed deck,
17 that middle cone towards the left, and then
18 the 30-foot rear setback line. Here's a
19 little bit more close-in view of the edge of
20 the proposed deck, as well as the 30-foot rear
21 setback.

22 This is a reverse angle, and you
23 see some patio furniture, that is an existing
24 paver-style patio. That's been in place for

1 quite some time that they will be replacing.
2 And one more photo. There were no technical
3 agency comments.

4 And the remainder of the report is
5 the Board Analysis with the criteria for your
6 consideration. I'm happy to answer any
7 questions of the Board at this time.

8 CHAIRMAN TREFZ: There is a
9 22-foot easement and there is a 30-foot
10 setback, right?

11 MR. GAYETSKY: You're correct.

12 (Mr. Pax enters the meeting.)

13 CHAIRMAN TREFZ: Okay. Please
14 state your name, address and that you've been
15 sworn in.

16 MR. MABRY: It's Christopher
17 Mabry, 2495 Roe Drive. I have been sworn in.

18 CHAIRMAN TREFZ: Okay. Thank you.

19 MR. PIRWITZ: And I'm Michael
20 Pirwitz, the contractor, 70 Timber Ridge
21 Drive, Pickerington, Ohio.

22 MS. NEFF: Thank you.

23 CHAIRMAN TREFZ: Thank you. Tell
24 us about what you're trying to do.

1 MR. MABRY: We're trying to
2 replace a current paver patio. The current
3 paver patio is falling in three different
4 directions at the same time. The yard slopes
5 downhill and it just is rolling with the yard,
6 basically. I just want to build a paver, I'm
7 sorry, a patio, I'm sorry, a deck that comes
8 straight off from the back porch, the sliding
9 glass doors out the back instead of having to
10 go down the stairs to the patio. So it will
11 be raised up higher than it is currently, but
12 then the stairs would be -- you know, the
13 drawing actually is only -- so where the bump
14 out is on the back of the house, the deck
15 would only go to the far right side of that
16 bump out. So from the corner -- so there's
17 the bump out with the fireplace. And if you
18 go past the -- if you view it from the other
19 side, it only goes out to that other corner of
20 that bump out. It doesn't actually go away
21 across the entire back of the house. The
22 stairs would go down the other side, down that
23 side of the house.

24 MR. PIRWITZ: Yeah, we took that

1 section out so we can put the stairs in, so we
2 don't have the stairs going in the backyard,
3 but it keep going down, down, down like six,
4 seven stairs, so we thought we'd be over that.

5 MR. MABRY: That, and also
6 everything will be contained behind the house,
7 too, so you wouldn't see anything from the front
8 or the sides. And also, the way the elevation
9 works in the street, you won't actually see the
10 patio, I mean, sorry, the deck anyway, because
11 it goes down the hill past there. So actually,
12 everything is invisible to the street.

13

14

15 CHAIRMAN TREFZ: Questions?

16 MR. MABRY: There are no houses
17 behind us.

18 MR. MCCOY: The wooded area behind
19 you, that's owned by the homeowners
20 association?

21 MR. MABRY: Yes. Yeah, there's a
22 river down at the bottom of the hill that, or
23 I guess it's McCammon Street. It goes back to
24 behind the -- it's about I'd say another 150

1 feet into the woods, so it's not anywhere near
2 our yard line or anything like that.

3 CHAIRMAN TREFZ: Other questions?

4 MR. PAX: No, I looked at that one
5 already.

6 CHAIRMAN TREFZ: Do I hear a
7 Motion?

8 MR. PAX: No. I looked at that
9 already.

10 MS. ROSS: Is there anyone that
11 wants to speak?

12 CHAIRMAN TREFZ: Oh, yes. Thank
13 you. Is there any audience member that wants
14 to speak on this case? Going once. Okay.
15 Thank you.

16 MS. ROSS: Do you have a question?

17 MS. NEFF: No, I was just going to
18 make a Motion.

19 MS. ROSS: Go for it.

20 MS. NEFF: Based on these factors,
21 I moved to approve Case No. VA-25-23 for
22 property located at 2495 Roe Drive, Lewis
23 Center, Ohio, seeking an Area Variance from
24 Rezoning Case No. 3752 Cross Creek to allow

1 for a deck to encroach 8 feet into the 30-foot
2 rear yard setback in an area zoned Single
3 Family Planned Residential District.

4 MS. ROSS: I'll second the Motion.

5 MR. GAYETSKY: Motion made by Ms.
6 Neff, second by Ms. Ross. Those voting?

7 Mr. Travis.

8 CHAIRMAN TREFZ: Yes.

9 MR. GAYETSKY: Ms. Neff.

10 MS. NEFF: Yes.

11 MR. GAYETSKY: Ms. Ross.

12 MS. ROSS: Yes.

13 MR. GAYETSKY: Mr. Pax.

14 MR. PAX: Abstain.

15 MR. GAYETSKY: And Mr. McCoy.

16 MR. MCCOY: Yes.

17 MR. GAYETSKY: Motion carries
18 four/zero.

19 MS. NEFF: Good luck.

20 CHAIRMAN TREFZ: Thank you.

21 MR. MABRY: How long will it take
22 to get the Variance back?

23 MR. GAYETSKY: So, if you might be
24 asking, I believe you've already submitted the

1 Zoning Permit.

2 MR. MABRY: Yeah.

3 MR. GAYETSKY: So typically, we
4 turn that around within the next few days. So
5 we'll send you a copy via the email.

6 MR. MABRY: Okay. Perfect. I
7 appreciate it. Thank you.

8 MS. NEFF: Good luck.

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10 MS. ROSS: I'll be recusing myself
11 from the next application.

12 MR. GAYETSKY: Sure. Okay.

13 (Ms. Ross exits the meeting room.)

14 MR. GAYETSKY: So we're on our
15 next case for the evening, also an item of New
16 Business. This case CU-25-24. This is for
17 the property located at 7343 Africa Road.

18 So the applicant -- well, I'll
19 give you a couple other details on the
20 property. The lot size here 1.23 acre, zoning
21 is Farm Residential District. Applicant and
22 owner is Erin Kieser.

23 So this request entails a
24 Conditional Use from Section 7.04(a) of the

1 Orange Township Zoning Resolution to allow for
2 home-based business, also known as Home
3 Occupation, which includes an office, inside
4 storage of supplies and parking of company
5 vehicles for a small roofing company known as
6 Enhanced Roofing. This business will not have
7 any retail activity or customer traffic.

8 So once again, this site is
9 located at 7343 Africa Road and Farm
10 Residential District Zoning. For the
11 surrounding area in all four directions around
12 the property the zoning district is FR-1. For
13 the land use to the north, that's Single Family
14 Residences. To the south, land uses Africa Road
15 right-of-way and Single Family Residences. To
16 the east, the land use includes Worthington Road
17 right-of-way and Single Family Residences, and
18 then to the west, more Single Family Residences.

19 Here's an aerial view, just to note
20 the -- you can make out the parcel here, near
21 -- off of Africa Road, as stated. And then a
22 more close-in view of that property there.

23

24

1 Alright. The Staff Review for
2 Conditional Use. This is a 7.04(a) of the
3 Orange Township Zoning Resolution. I'll take
4 us through the criteria that this was weighed
5 against.

6 So, from 7.04(a), No. 1, The home
7 occupation shall be carried on solely within
8 the confines of the residential structures and
9 architecturally compatible accessory
10 buildings, which are customarily associated
11 with residential use and character of the
12 neighborhood.

13 The applicant indicated the
14 operation will take place entirely within the
15 confines of the home and also enclosed within
16 the accessory structure. The work is
17 administrative or coordination based with
18 tools and materials stored inside of the
19 garage, and most equipment is stored and used
20 off site for the roofing projects. The
21 applicant states that the home-based business
22 will not negatively impact the nearby
23 residents or property values.

24 Essentially, this No. 2 is about

1 signage. The applicant indicated that no
2 signage is being proposed and no exterior
3 changes will occur with the business.

4 No. 3, The home occupation shall
5 occupy not more than 20% of the total floor
6 area of the dwelling unit, or 50% of the
7 combined floor space in any garage or
8 accessory building.

9 The applicant indicated that the
10 home office accounts for 99 square feet total,
11 while the home is 1,364 square feet in total.
12 This complies with the requirement that the
13 home-based business area not exceed 20% or
14 272.8 square feet in total. Additionally, the
15 applicant indicated the detached garage
16 accounts for 325 square feet total, 50% or
17 162.5 square feet is to be used for the
18 business. And the applicant has indicated
19 that no more than 50% of that space will be
20 used for business purposes.

21 No. 4, No more than three
22 non-resident employees shall work on said
23 premises.

24 The applicant indicated that no

1 non-resident employees will work on the
2 premises.

3 No. 5, Services may be rendered on
4 the premises or elsewhere.

5 Administrative services will take
6 place on location, along with some tool and
7 material storage, complying with the standard.

8 No. 6, All parking demands created
9 by the conduct of the home occupation shall be
10 met off the street, and other than in a front
11 yard. Off-street parking may be permitted in
12 a side rear yard, but shall not be located
13 closer to the street and the required setback
14 line. The required number of off-street
15 parking spaces shall equal the spaces required
16 for the resident use, plus those required for
17 the commercial use, which constitutes the home
18 occupation. No parking requirement is given
19 for particular home occupation. The parking
20 requirements for the most similar commercial
21 use shall be used in order to calculate the
22 required number of parking spaces.

23 The applicant indicated that there
24 will be no customer traffic associated with

1 the home-based business; therefore, there is
2 no parking demands that are necessitated by
3 the business.

4 No. 7, No equipment, process or
5 storage associated with the home occupation
6 shall create odors, noise, vibration, glare,
7 electrical interference, or other nuisance
8 detectable by normal sense off the lot. All
9 activities, materials, equipment associated
10 with business shall be totally maintained
11 within a building. In the case of electrical
12 interference, no equipment or process shall
13 create visual or audible interference in any
14 radio or TV or other audio appliances used off
15 premises or cause fluctuation line voltage off
16 the premises. No equipment, process or
17 storage associated with home occupation shall
18 create any fire explosion hazard or involve
19 the storage or use of hazardous materials and
20 any concentration greater than that which
21 normally would be found in a dwelling
22 containing no home occupation.

23 So the applicant noted in their
24 application that the proposed use will not

1 create excessive noise, smoke, fumes or other
2 nuisance associated with the business. There
3 will be no hazardous materials on the site.

4 No. 8, Waste materials, solid or
5 liquid, shall not be created on the premises
6 at a level greater than normal to the
7 residential use; unless provisions for the
8 disposition of said waste are acceptable to
9 the Delaware County Health Department and do
10 not create a burden on adjoining property.

11 In their application, the
12 applicant responds that there is no waste
13 that's proposed in association with the
14 business. That the business operates safely
15 and responsibly within all local and State
16 regulations.

17 And then No. 9, No activity shall
18 be conducted or permitted, which creates a
19 nuisance to neighboring properties.

20 The applicant noted in the
21 application that the proposed use will not
22 pose any hazards to nearby residences.

23 Alright. So, next we have the
24 Exhibits. The first one being the Floor Plan,

1 which you can see circled is the office area
2 that is pertaining to the business. Applicant
3 has shown that it's an 11 x 9 space, 99 square
4 feet total.

5 As indicated in the above drawing,
6 the home occupation -- or home office accounts
7 for 99 square feet, while the home is 1,364
8 square feet in total. This complies with the
9 requirement that the home-based business area
10 not exceed 20% or 272.8 square feet total.

11 And then we also have a drawing of
12 the detached garage. As indicated in the
13 above drawing, the detached garage accounts
14 for 325 square feet total, while the applicant
15 describes that not more than 50% or 162.5
16 square feet is used for business purposes.

17 And we have Exhibit 3 that shows
18 an arrangement of vehicles. So these
19 vehicles -- the applicant will probably be
20 able to confirm the use of the vehicles and
21 I'll defer to them for that description.

22 So for the Board Analysis that
23 comes from the Conditional Use Criteria for
24 Home Occupation. You can look at that on this

1 report for reference. And beyond that are the
2 example Motions. I'm happy to go over any
3 questions the Board has on this application.

4 CHAIRMAN TREFZ: Okay. None for
5 me. Anyone else?

6 MS. NEFF: Not right now.

7 MR. MCCOY: If something like this
8 is approved, how's it enforced?

9 MR. GAYETSKY: I think like any
10 other Zoning process. I'm not sure if our
11 Legal Counsel, Pete, would like to elaborate.
12 But essentially, we would ensure that all of
13 the requirements of the Conditional Use are
14 upheld. So all of the items that we went
15 through from the Conditional Use Section need
16 to be met, and not just right now, but going
17 forward.

18 MR. MCCOY: Okay.

19 MR. GRIGGS: And any applicable
20 conditions that you would place as well on the
21 application.

22 MR. MCCOY: Okay. Thank you.

23 CHAIRMAN TREFZ: Is the applicant
24 here?

1 MS. KIESER: I'm here, yes.

2 CHAIRMAN TREFZ: Okay.

3 MS. KIESER: Erin Kieser, 7343
4 Africa Road, Galena, Ohio 43021. Yes, I've
5 been sworn in.

6 CHAIRMAN TREFZ: Okay. Thank you.

7 MS. KIESER: You're welcome.

8 CHAIRMAN TREFZ: What would you
9 like to tell us about your project?

10 MS. KIESER: He pretty much
11 covered it. It's just, I run a roofing
12 company. Everything is done off site for the
13 most part, aside from the three work vehicles,
14 my office, doing administrative scheduling,
15 working with insurance companies, contacting
16 homeowners, et cetera. The only time that
17 employees are there is to pick up a truck,
18 leave their vehicle, take a truck, go or drop
19 off materials to my red garage, or pick up
20 materials in the morning.

21 So there's no extra nuisance going
22 on there. It's just your typical home. From
23 the outside, you wouldn't know. I don't store
24 anything outside. Nothing is ever left in the

1 driveway or on the side of the red garage.

2 And that's pretty much it.

3 CHAIRMAN TREFZ: Okay.

4 MR. MCCOY: How many work vehicles
5 are you talking about?

6 MS. KIESER: Three, three regular
7 pickup trucks, size pickup trucks.

8 MR. MCCOY: Any other equipment?

9 MS. KIESER: No.

10 MR. MCCOY: No trailers?

11 MS. KIESER: No.

12 MR. MCCOY: Are these full-size
13 pickup trucks?

14 MS. KIESER: Yes.

15 CHAIRMAN TREFZ: You mentioned you
16 would be storing shingles and some other
17 materials.

18 MS. KIESER: Not shingles. Just
19 the odds and ends, the extra from a roofing
20 job, so ice and water, underlayment felt and
21 maybe some trim, coil, nails, ridge vent,
22 those would be the things that would be in
23 storage, just extra from a job that we would
24 use on the next job.

1 CHAIRMAN TREFZ: Okay. None of
2 the tar products?

3 MS. KIESER: No.

4 CHAIRMAN TREFZ: Or anything that
5 would have an odor to it?

6 MS. KIESER: No, no. The tar
7 products are usually used at that job. We
8 don't save those because they're not going to
9 be good. So we buy them. They get delivered
10 directly to the homeowner's house, and they
11 get disposed of there in the dump trailer, or
12 go with the crew.

13 CHAIRMAN TREFZ: Okay. On the
14 vehicles themselves, the diagram shows one
15 tucked in on the detached garage, and then two
16 back away from the normal home. What is the
17 length of that driveway?

18 MS. KIESER: I do not have the
19 exact length of the driveway.

20 CHAIRMAN TREFZ: Nearest yard? I
21 don't care.

22 MS. KIESER: Oh, God. I'm awful
23 at distance. I do know that I measured from
24 the street to the back of that vehicle, which

1 was 14.5 feet. And from the apron entrance,
2 where it's a transition from the apron to my
3 driveway, that was 10 feet in where the
4 driveway is, and it's on the right-hand side.

5 CHAIRMAN TREFZ: Which you're
6 getting?

7 MR. AMBLER: One hundred and one
8 feet.

9 CHAIRMAN TREFZ: One hundred and
10 one feet, okay.

11 MR. AMBLER: From the house to the
12 side of the road.

13 MS. KIESER: Thank you. That's
14 helpful.

15 CHAIRMAN TREFZ: And the other two
16 vehicles would be along that blue line that's
17 showing now?

18 MS. KIESER: Yeah. So the red
19 vehicles are to the right of that blue line in
20 between the grass. Yes.

21 CHAIRMAN TREFZ: Okay.

22 MR. MCCOY: Eric, do you know the
23 right-a-way, how far her actual property comes
24 to the center of the road?

1 MR. GAYETSKY: I don't know
2 exactly. Sometimes that's hard to calculate.

3 MR. MCCOY: The question goes to
4 how long is that driveway is actually legally
5 usable, in the sense that you would be parking
6 vehicles on the driveway. Now, obviously,
7 you're legally allowed to use the driveway to
8 enter across the right-of-way to your house,
9 but parking construction vehicles in that area
10 is a concern, obviously, by the emails that
11 were received from neighbors.

12 CHAIRMAN TREFZ: Yeah.

13 MR. PAX: Yeah.

14 MR. MCCOY: And it would be my
15 concern as well.

16 MR. GAYETSKY: And then, just for
17 a little bit more context, there was a Zoning
18 violation that we had received about two
19 months ago. This was over the two vehicles,
20 given that there is a standard that is in our
21 Zoning Code that requires vehicles, really any
22 vehicles, to be moved within a certain period
23 of time, or else they would be deemed unused.

24 So when we looked at the trucks,

1 they had stayed in place for over a seven-day
2 period without being moved, and we sent that
3 Violation Notice, but when we re-inspected
4 later on, they were moved within a seven-day
5 period for that second inspection, so that
6 Violation Notice was closed. So that was the
7 only standard that the Zoning Department was
8 looking at.

9 And essentially, those are
10 personal use vehicles, as they're pickup
11 trucks. So I think in the sense of they can
12 be used as personal vehicles, that's really
13 the ground that the Zoning Department was able
14 to do any enforcement on those trucks, is that
15 seven-day unused vehicle standard requirement,
16 so.

17 I just wanted you to have that
18 context. And I know there were some questions
19 about, well, is this something that the Zoning
20 Department would still be able to do
21 enforcement on if the Conditional Use were
22 denied? And the way that we've looked at it
23 is, no, this is the only standard is that
24 seven-day period is enforceable.

1 MS. NEFF: They have to be moved.

2 MR. GAYETSKY: They have to be
3 changed, location has to be moved to establish
4 that they're not unused. Correct.

5 MS. NEFF: Is there restrictions
6 on how close they can be to the road?

7 MR. GAYETSKY: No.

8 MS. NEFF: No.

9 MR. GAYETSKY: No, not in our
10 Zoning text.

11 MR. GRIGGS: So what I would
12 generally say is that with respect to the
13 right-of-way, and that's a great question, you
14 know, the Township would have the ability to,
15 not through Zoning, but through the statutory
16 authority to require them to remove anything
17 that was placed in the right-of-way. So if
18 the trucks were parked in the right-of-way,
19 there's a different process that we would run
20 through our road department to have that done.

21 Now, that could certainly be a condition as
22 well, if this Board, you know, thinks that's
23 appropriate.

24 How many employees does the

1 company have overall?

2 MS. KIESER: There's only a couple
3 sellers that would come right now. I'm in the
4 process of hiring.

5 MR. GRIGGS: Okay.

6 CHAIRMAN TREFZ: So when you're at
7 full capacity, how many employees?

8 MS. KIESER: Probably me, myself
9 and three other people.

10 MR. GRIGGS: Do the trucks ever --
11 are they always parked or do you allow your
12 employees to take them to their home?

13 MS. KIESER: I allow -- it depends
14 on the employee. I do allow them to take them
15 with them. But the last instance the truck
16 was being driven around outside of business
17 hours, so I had to make the rule to be dropped
18 off again and picked up in the morning.

19 MR. GRIGGS: Okay.

20 MR. MCCOY: When they do that, do
21 they leave their car there?

22 MS. KIESER: They wouldn't leave
23 it overnight, no. If they took it back to
24 their property --

1 MR. MCCOY: They come in the
2 morning, pick up the truck, they leave their
3 vehicle?

4 MS. KIESER: And then they come
5 back and get their own vehicle.

6 MR. MCCOY: Do you have any other
7 personal vehicles, and I know this is getting
8 in your business a lot, but --

9 MS. KIESER: No, it's okay.

10 MR. MCCOY: How many vehicles at
11 the time are at the house?

12 MS. KIESER: I have more context,
13 too. So the reason the way that it is is just
14 the way that everything flows. So, on the
15 left side by the red garage, the nanny comes,
16 so she parks her vehicle Monday through
17 Friday. I park in the middle with my white,
18 regular truck that I drive my son to school
19 every day in the middle. The closest spot to
20 the house, so you could fit three across there
21 easily, is the open space for whoever would be
22 coming to pick up a vehicle. They could drop
23 it there, then get in their truck and go. And
24 then the left side of that blue line right

1 there stays clear, because when the
2 landscaping company, which is not going to
3 come, now, obviously they're done, but when
4 they were coming, they would back in on the
5 right-hand side on the bottom part of the
6 driveway and have to use that. So I could
7 still exit down the center between the red
8 trucks and dirt trailer, and that was just the
9 flow of why it was there.

10 And, when they are moved, they are
11 parked exactly in the same spot again for that
12 reason. And then when the landscaping person
13 is there, he even has, you know, the length of
14 his mower to fit between the red truck and
15 where the bricks start on my house to get over
16 to be able to access to mow the right side of
17 the yard. So, it's there for the actual flow.

18 The nanny actually, too, also,
19 when someone is parked right there, she's able
20 to do a complete turn backwards in between the
21 red trucks, kind of where the same place that
22 the lawn mower guy would be to go through.
23 She can back up there safely and go out. The
24 same thing with any visitor that's in the

1 driveway.

2 MR. GRIGGS: How long have you
3 been conducting your home business?

4 MS. KIESER: I did -- 2023, June
5 of 2023 I started this business.

6 MR. MCCOY: How long have you been
7 at the house period? How long have you owned
8 it?

9 MS. KIESER: 2020. I do have a --
10 we did end up showing him because, in theory,
11 if you drove by on a Wednesday at 5:00, it
12 would look the same Tuesday at 4:00, that the
13 trucks haven't moved. But I do a video and
14 pictures of the violation period time frame of
15 those trucks actually being in use and moved,
16 which he received, and was able to drop the
17 violation. Technically, I think it was
18 dropped because the next time they did their
19 inspection, they were in different order so
20 that you could visibly see it. But I
21 purposely park them in the same spot for the
22 reason of the flow. Because if one truck has
23 to move, then all of them would have to move,
24 if it were in any other order.

1 MR. MCCOY: Okay.

2 CHAIRMAN TREFZ: And you never
3 have a trailer there?

4 MS. KIESER: No, I don't. The
5 only time a trailer has ever been there is if
6 somebody was dropping off an excess amount of
7 ice and water or underlayment, which happens
8 like one time a year.

9 MR. GRIGGS: So you don't own any
10 trailers?

11 MS. KIESER: I don't.

12 MR. GRIGGS: Okay.

13 MR. PAX: So the property, I also,
14 the property -- and I'm looking at the green
15 lines, and obviously that's your property. I
16 don't know what your setbacks are from your
17 side lot, the property lines, if it's --

18 MR. GAYETSKY: Twenty-five feet.

19 MR. PAX: Twenty-five, okay. From
20 the letters we've received from residents, the
21 main concern is sight lines and visibility and
22 issues with the vehicles being parked out
23 close to the road.

24 So, what I'm looking at, there's

1 one thing on the sight lines of the trucks.
2 That's one issue that I'm seeing within the
3 commentary. But there's also a safety issue
4 from visibility, pure visibility, of the
5 trucks being out close to the road.

6 So that would -- the primary
7 reason why I was looking at that pull off
8 towards the detached garage is, is there a
9 possibility that those trucks could be parked
10 parallel off adjacent to that -- close to that
11 truck that is there? I know that that might
12 entail adding asphalt or pavement or scratch
13 gravel over there, but so that those trucks do
14 not have to be parked out on the roadway and
15 so close to the roadway.

16 MS. KIESER: You're saying add
17 parking --

18 MR. PAX: Basically, you would
19 have 45-degree angled parking coming -- that
20 they would be backing up into that -- next to
21 that truck that is currently shown on that
22 site.

23 MS. KIESER: So, that's a retainer
24 wall on the side there. That's not flat.

1 That is holding the driveway up. That's
2 probably about this much of a drop.

3 MR. PAX: Okay. That's good to
4 know. So you've got some grade there and topo
5 that you're dealing with at that side of the
6 house.

7 MS. KIESER: Yes.

8 MR. PAX: And then it descends
9 down as it's coming towards the roadway,
10 obviously.

11 MS. KIESER: Yes.

12 MR. PAX: I can see kind of from
13 the shadow line there. So, alright.

14 MS. KIESER: Yeah, that was a
15 thought before to widen that, but it's a drop.
16 You'd be building up a deck for a driveway,
17 pretty much.

18 MR. PAX: I only ask because that
19 is a viable option potentially to at least get
20 the trucks away from the -- out of the road.

21 MS. KIESER: Right. I've thought
22 of all options. I've parked them in many
23 different ways and this is the only way that
24 it does flow. That actually is not an updated

1 picture.

2 So, the problem occurred -- to
3 give you a little bit more context. The front
4 of that house, that's not my truck or my
5 trailer. That is, when I first moved there,
6 that is my ex's truck and roofing company and
7 trailer. None of those things are there
8 anymore. But the road now is actually cut off
9 right there. Yep, where your finger was.
10 Right where that telephone pole is, that's
11 where it starts grading down.

12 So, the visibility issue, I'm
13 assuming, that started from -- for the
14 neighbors is when they came by and they dug
15 the road down about 6 feet, they created a
16 huge hill in my front yard, and they created a
17 huge hill in the neighbor's yard over there.
18 So they used to be able to see all the way to
19 the crossroad prior to them coming and digging
20 the road down 6 feet and taking off about 20
21 feet of my front yard. When that happened,
22 their visibility dropped. That was in 2022.
23 And since then, I have paid money to grade my
24 hill more for them so that they could have

1 better visibility. We tried to convince the
2 neighbor next door to do his, too. He
3 disagreed. But when the new neighbor moved
4 in, she agreed to do it, too, so we did it at
5 the same time, both putting in our own money
6 to help the visibility of the person down the
7 street.

8 I've offered solutions to them,
9 also, that they reach out to the City and put
10 a bubble mirror across the street because they
11 used to be able to see to the intersection.
12 But the reason they can't see to the
13 intersection anymore is because of the road
14 going down and the hill being there. But the
15 solution, if you go -- if you can turn it to
16 look across the street, there actually is a
17 telephone pole right there, to which a bubble
18 mirror could be placed so that they can regain
19 their visibility to the crossroads which they
20 once had.

21 So the visibility issue has
22 nothing to do with my vehicles, in my opinion.
23 I've looked at this plenty of times. It
24 started when the road went down 6 feet and the

1 hill became an issue. Because it was the
2 hill's fault at first and now it's my trucks.
3 But, if you stand at the back of the tailgate
4 of my truck, I'm 19.5 feet in from the white
5 line on the road and I'm 10.5 feet in from the
6 beginning of my apron. So, and there's a
7 curve, so I'm actually going in. So if you're
8 at the their driveway, you're sticking out
9 further.

10 So if you were to look that way,
11 the truck -- see, that stinks because that's
12 an old, outdated picture. But the point is,
13 is the truck is behind that telephone pole.
14 So that telephone pole that's in my yard up
15 above that white sign, the back of the trucks
16 are in further from there, or about right
17 there. I do have a picture, actually, if you
18 do want to see it, if that helps.

19 MR. GAYETSKY: Do you have
20 printouts?

21 MS. KIESER: Well, I have what you
22 sent me. You know what, I do have printouts,
23 which doesn't give you a good -- this doesn't
24 give you a good --

1 MR. GAYETSKY: You can take it
2 over.

3 MS. KIESER: It's not a good angle
4 to show what I'm trying to say, but that's how
5 far --

6 MR. GAYETSKY: I can put those
7 photos in our folder on Dropbox, if you want
8 to pull the violation photos up.

9 MS. NEFF: Is it shorter now? Did
10 your driveway get shorter?

11 MS. KIESER: It did, significantly
12 from when that road changed.

13 MS. NEFF: Oh, okay. That's what
14 we're missing.

15 MS. KIESER: Yeah. So the road
16 change is what solved the --

17 MS. NEFF: Can we tell now how
18 short it is? Goodness, I didn't really lost
19 that much space.

20 MS. KIESER: Well, we lost -- so
21 that's what it looks like now. And if you
22 were to look at the picture, see the telephone
23 pole when it was the other roofing company?

24 MR. MCCOY: Yeah.

1 MS. KIESER: The telephone pole
2 was way back in the yard, and the white sign
3 was probably where that mailbox is, a white
4 7343 sign.

5 MS. NEFF: Okay. I was missing
6 that part.

7 AUDIENCE: It's hard to hear away
8 from the mic.

9 CHAIRMAN TREFZ: Yeah.

10 MS. KIESER: Sorry.

11 CHAIRMAN TREFZ: This mic wasn't
12 picking her up?

13 MR. PAX: Maybe not.

14 CHAIRMAN TREFZ: Okay.

15 MR. MCCOY: So go ahead and repeat
16 what you were talking about the road cutting
17 back into your driveway.

18 MS. KIESER: So the road is cut
19 back in the driveway now. I'm not sure which
20 part you wanted me to repeat there.

21 MR. MCCOY: You lost some
22 driveway?

23 MS. KIESER: I lost a lot of
24 driveway, yeah, when they took the road down.

1 So, see the yellow -- or see the property
2 line. So the driveway used to extend out to
3 about where -- because it used to just be a
4 double, there you go, it used to be a double
5 line road and now it has that where it starts
6 to turn into another lane. But that was all
7 flat, so they could see all the way up to the
8 intersection, whatever and then it changed,
9 and now it was a big hill, and everything got
10 shorter, and they can't see up at the
11 intersection. But they weren't able to see up
12 at the intersection prior to my trucks being
13 there either, because we had this conversation
14 the whole time the road change was happening,
15 and they were very upset.

16 MS. NEFF: When did the road
17 change happen?

18 MS. KIESER: 2022.

19 MS. NEFF: Okay.

20 MR. PAX: So are we looking at --

21 MR. MCCOY: That's current.

22 MR. PAX: That's current.

23 MR. AMBLER: This is 2024 and this
24 is 2021.

1 MR. PAX: Okay, thank you.

2 MS. NEFF: So how long is the
3 driveway now?

4 CHAIRMAN TREFZ: That's what he
5 measured.

6 MR. AMBLER: Now was 101 feet.

7 MS. NEFF: Okay.

8 MR. PAX: Okay. I just wanted to
9 make sure that that was -- we are measuring
10 off of the current and not the previous.

11 MR. AMBLER: I can try and measure
12 this.

13 MS. KIESER: So another point I'd
14 like to make is they came by, I want to say,
15 in 2019 to approve the road change. I did not
16 live there. The neighbors, however, did live
17 there and they accepted the compensation for
18 the road to be changed. They got to see the
19 plans. They knew what was going to happen.
20 But then now fast forward to 2025, they're
21 blaming the visibility issue on my trucks.

22 MR. PAX: And we calculated that
23 10-to-12 feet reduction for that.

24 CHAIRMAN TREFZ: Yeah.

1 MS. KIESER: So they've had plenty
2 of time basically to prepare. Because I
3 know -- I think the reason came up is they
4 have a teenage driver who just started
5 driving, so they're concerned about those
6 issues, rightfully so, but they have been
7 warned since 2019 that this change was going
8 to happen. It's 2025. I had nothing to do
9 with the road change. I didn't accept
10 compensation. And now they're making it seem
11 that my trucks are reducing their visibility,
12 but it's the hill and it's the dip and it's
13 the way that the road is. And like I said, I
14 and my next door neighbor both spent \$10,000
15 combined to just shave down our hill to try to
16 help.

17 CHAIRMAN TREFZ: Can you go back
18 to the other picture, the earlier, which you
19 have two dates.

20 MS. NEFF: I would also like to
21 see if you could help us understand where the
22 folks who emailed in, and then if anyone
23 speaks where they live.

24 MS. KIESER: Sure. They live in

1 the house right next door with that red
2 vehicle in it.

3 MS. NEFF: Okay. I think we've
4 got a couple of emails here.

5 MS. KIESER: Yeah. And so, they
6 approached me on September 17th and asked me
7 to reposition my vehicles, to which I said no.
8 But I got approached in a way that we want you
9 to reposition your vehicles before we get
10 somebody else involved, and I took that as a
11 threat, because I'm parked in my driveway.

12 And so shortly after a violation
13 came in from Orange Township, which was not
14 even appropriate to what they were complaining
15 about. They were complaining about
16 visibility, but since there isn't a rule for
17 visibility, I'm assuming that they went for
18 the next thing that they could, which was
19 inoperable vehicles, to which I proved that
20 they're not inoperable. So they're just doing
21 any which way that they can to make me comply,
22 which is not fair to me.

23 I'm just trying to mind my
24 business and run a roofing company. I'm a

1 single mom of two. I can't be playing musical
2 trucks in my driveway. And again, this didn't
3 just happen. They knew their son was turning 16.
4 They knew the road was changing six years prior
5 to this being a problem.

6 CHAIRMAN TREFZ: Did the width of
7 your driveway change at all?

8 MS. KIESER: It did actually a
9 little bit. It was skinnier. And when they cut
10 off the driveway, we convinced them to give us a
11 little bit more asphalt on that left-hand side so
12 that we could park more vehicles because we're
13 losing so much driveway. So we're thinking maybe
14 we could park them across instead of, you know,
15 but that's just the way that it happened.

16 And that's where they're positioned
17 for my comfort, for the nanny's comfort, for
18 visitors to turn around, go out. You know,
19 there's safety concerns at my house, too, that
20 people need to be able to back out and turn
21 around and get out. I back out on the road, but
22 that's because I've been living

23

24

1 there for so long, but if you don't live
2 there, you're not going to do that.

3 CHAIRMAN TREFZ: Yeah.

4 MS. NEFF: Eric, I just want to
5 make sure I understand what is in our purview
6 here.

7 MR. GAYETSKY: Sure.

8 MS. NEFF: So, we're weighing on
9 the Conditional Use, but visibility is not
10 something that the Zoning Board weighs in on,
11 correct?

12 MR. GAYETSKY: It's not a specific
13 Code enforcement standard, but I think Mr.
14 Griggs can speak more to conditions and things
15 of that nature that the Board could perhaps
16 keep in consideration for the context here,
17 and think about how those can be applied.

18 MS. NEFF: Okay.

19 MR. GAYETSKY: So, if it's
20 something like what is a safety concern, I'm
21 sure Mr. Griggs can speak a little bit better
22 to that than I can.

23 MS. NEFF: Okay. And so it's
24 clear for our residents, can you introduce

1 yourself and your role?

2 MR. GRIGGS: Yeah. My name is
3 Pete Griggs. I am Special Counsel to the
4 Township, and I'm your Attorney tonight, so.

5 The answer to the question is yes,
6 I think you can consider it because what
7 you're considering tonight is a Use that may
8 be permitted. It's not permitted as a right.
9 So anything that would create a visibility
10 safety concern, safety issue, I think as long
11 as you're reasonable, you would have the
12 ability to address and potentially put certain
13 conditions on. I know I mentioned earlier
14 like right-a-way issue, you know, some of
15 those other things like that. So, that would
16 be within your purview if you decide to grant
17 the permit to place reasonable conditions.

18 CHAIRMAN TREFZ: I have a question
19 about the left side of the driveway as you're
20 driving in. You got that 45 that goes up
21 where your white truck is parked. There is
22 something, a darker green.

23 MR. PAX: It's a tree.

24 MS. KIESER: That's a tree.

1 CHAIRMAN TREFZ: Okay. What is
2 the driveway, is there a big slope down there
3 also? You said there was --

4 MS. KIESER: It starts at the
5 ground level right on the corner there where
6 the transition is, down.

7 MR. PAX: It would be the front of
8 the vehicle.

9 MS. KIESER: Yeah, right there.
10 So it's pretty much ground level right there.
11 And as it gets closer to the house, it gets
12 deeper and deeper.

13 CHAIRMAN TREFZ: Yeah, okay. I
14 was just trying to get bird's eye view from
15 the bird's eye view, I guess.

16 MS. KIESER: Right.

17 CHAIRMAN TREFZ: Other questions?

18 And the pole that we've been
19 talking about is being crossed by the right
20 side green line?

21 MS. KIESER: Yes. So that's like
22 where my yard -- well, it all grades towards
23 the road, but that's where it actually made
24 the steep hill. So, we graded both of our

1 yards, me and the neighbor on the other side,
2 but the guy who was grading the yard can't
3 grade any more near that telephone pole
4 because nobody knows how deep that needs to
5 be. So there was still always a hump right
6 there.

7 CHAIRMAN TREFZ: Hump right there,
8 yeah.

9 MS. KIESER: And that is literally
10 like the visibility issue. If you're standing
11 in their driveway and you look, that's the
12 part.

13 CHAIRMAN TREFZ: That's kind of
14 the high point right there at the pole.

15 MS. KIESER: Yes.

16 CHAIRMAN TREFZ: And your trucks
17 were always towards the house of that, right?

18 MS. KIESER: Prior to this year?

19 CHAIRMAN TREFZ: Yeah.

20 MS. KIESER: Yes. It depends. I
21 don't know. You saw my ex's trucks and stuff
22 being also parked closer down to the road, et
23 cetera.

24 CHAIRMAN TREFZ: Yeah.

1 MS. KIESER: I mean, it all just
2 depends on how many people are around. I had
3 renovation of three bathrooms and my whole
4 driveway was used up this year, you know.

5 MS. NEFF: So the reason currently
6 that you're not parking them closer is because
7 of traffic coming in and out.

8 MS. KIESER: Yeah. But yeah, the
9 flow of traffic. And like I said, I have two
10 kids. It's just me. One's autistic, who's an
11 eloper. I have a seven-month-old. I can't be
12 messing around outside playing musical trucks
13 every single time someone comes to pick up a
14 truck or, you know, an Amazon truck drives.
15 And, you know, it's just the flow, the flow of
16 it, and for the safety of everybody. And for
17 the nanny to be able to turn around and all of
18 it. It's the only way that it works.

19 MR. MCCOY: Is the nanny there
20 when you're there?

21 MS. KIESER: Yes.

22 MR. MCCOY: Okay. So, typical max
23 number of vehicles you have parked in the
24 driveway?

1 MS. KIESER: Four.

2 MR. MCCOY: Four.

3 MS. KIESER: Right now four.

4 MR. MCCOY: You have the nanny and
5 three trucks, or you have the nanny and then
6 you have somebody that's replaced the truck
7 with whatever they drove to pick up the truck?

8 MS. KIESER: Yes.

9 MR. MCCOY: Okay.

10 MS. NEFF: I'm not saying this is
11 your responsibility, but who maintains this,
12 like, the bump around the telephone pole?
13 Like, has anyone reached out to, is it the
14 County?

15 MR. GAYETSKY: That looks like a
16 County road to me.

17 MS. NEFF: Okay.

18 MR. GAYETSKY: I don't believe
19 that's Township. I think that's probably a
20 County road. I'm not 100% because I'm not as
21 versed in jurisdictions for all of the roads.

22 MS. NEFF: I'm just curious if
23 enough residents reached out about it, that
24 they would take a look at it. I don't know.

1 CHAIRMAN TREFZ: Other questions?

2 Thank you.

3 MS. NEFF: Thank you so much.

4 MS. KIESER: Thanks.

5 CHAIRMAN TREFZ: Yes, ma'am.

6 MS. RUOF: Eric, did you just get
7 the email I sent you?

8 MR. GAYETSKY: It just depends
9 what time.

10 MS. RUOF: I just sent you a video
11 that shows that what she just said is
12 incorrect. My name is Jennifer Ruof. I live
13 at 7327 Africa Road. I am the house that is
14 to the north of Erin.

15 MS. NEFF: With the red truck.

16 MS. RUOF: With the red truck. I
17 was sworn in. Can I show you guys this video
18 real quick? This is an Amazon driver turning
19 around in her driveway today where he can't
20 get out because she says that the vehicle
21 parked and then you can pull another vehicle
22 through, and then another is not true. So,
23 here's the video, if you'd like to see it.
24 Sorry, it's far away. I'm sorry. I

1 apologize. I'm probably very emotional and I
2 probably will cry because this is -- she just
3 lied through that whole testimony.

4 (Ms. Ruof showing video to Board.)

5 MS. RUOF: I can prove it.

6 CHAIRMAN TREFZ: Well, you're
7 talking to us, so.

8 MS. NEFF: Yeah, just talk to us.
9 Just breathe.

10 MR. GAYETSKY: I don't have a video
11 in my inbox yet.

12 MS. RUOF: Okay. As they're
13 watching it, I can send it to your email, as
14 well. He can't turn around. There's no place
15 to turn around. He backs out and the whole
16 time he's terrified. And if you look, too,
17 you can see where the hill, the bump in the
18 hill is not causing visibility issues. It's
19 actually her trucks causing visibility issues.
20 And Eric does have pictures, too, of the
21 trucks blocking the visibility.

22 MR. GRIGGS: In order for them to
23 be considered, you're going to have to enter
24 into the record as an Exhibit, so we're going

1 to need a copy of the video.

2 MS. KIESER: Please clarify the
3 turnaround part and --

4 MR. GAYETSKY: Hold on.

5 MR. PAX: But that's in her
6 driveway.

7 MS. NEFF: Yeah, you'll get a
8 chance to speak in a minute.

9 MR. PAX: That's in her drive, and
10 not necessarily a residence or an adjacent
11 driveway.

12 MS. RUOF: No, that's in her --
13 I'm in my driveway videoing her driveway, the
14 Amazon driver not being able to turn around
15 because of the vehicles. And you can see
16 clearly in that video, it's not the hump of
17 the hill or what the County did, it's her
18 trucks causing visibility issues.

19 And she's never mentioned a
20 mirror. She's always been combative about us
21 asking her to move it, move any vehicles. So,
22 and I have a statement to read as well that I
23 wrote before that shenanigan.

24 CHAIRMAN TREFZ: Okay.

1 MS. NEFF: Can I ask you a
2 question real quick?

3 MS. RUOF: Yeah.

4 MS. NEFF: So again, I'm not
5 saying that this onus is on you. I'm just
6 curious. Have you contacted the County or
7 anything?

8 MS. RUOF: The County doesn't care
9 about anything. And her lawn care guy doesn't
10 park in the driveway. He parked on Africa
11 Road and almost caused several accidents, and
12 now he uses the corner lot that's owned by the
13 County to park in. So he doesn't ever -- he
14 hardly pulls into the driveway.

15 So, I'll read this to you. Hello,
16 my name is Jennifer Ruof. My husband, three
17 children and I live at 7327 Africa Road,
18 directly north of the house in this
19 application.

20 Since the applicant, Erin, has
21 moved in almost six years ago, her and her
22 previous partner have operated their roofing
23 businesses from their home without a
24 Conditional Use Permit and parked many branded

1 work vehicles and equipment, including a dump
2 trailer in their driveway. I've helped Erin
3 with her son, mowed her lawn, watched her dogs
4 while she's been out of town, and until
5 recently considered her my friend. Currently
6 things have gotten out of hand and her drive has
7 become a parking lot for her commercial company.
8 Instigating a complaint and then on this
9 application -- oh, sorry, that was a typo.

10 A handful of months ago, the two
11 trucks in this photo -- do you have the photo I
12 sent you? Well, I mean, you guys saw where the
13 trucks were. There's a better photo that shows
14 -- that photo, see that hump is not in the way.
15 Her trucks are in the way. Two trucks in this
16 photo were moved in the location in her driveway
17 after I stated I was not interested in allowing
18 her to obtain an easement across our property to
19 potentially connect the sewer located in a
20 neighboring property. This would affect our
21 property value. I'm a realtor. As well as it
22 could affect our plans to add an addition or
23 our
24

1 home and maybe someday put in a pool.

2 Since then she has obtained a
3 trailer that is parked in front of the home,
4 as well as two commercial vehicles. There is
5 a trailer parked in front of the red garage.
6 It's been there for about three months.

7 MS. KIESER: That's a motorcycle
8 trailer.

9 MS. RUOF: It's a trailer. It
10 can't be there, according to the Law.

11 MR. MCCOY: Hold on, guys. Hey,
12 we don't argue with each other. You're
13 testifying in front of us to us.

14 MS. RUOF: Can she stop talking
15 then?

16 MR. MCCOY: You will get a chance
17 to say something after she's done.

18 CHAIRMAN TREFZ: No, you just --

19 MS. RUOF: I didn't talk when she
20 talked.

21 CHAIRMAN TREFZ: You have the
22 floor.

23 MS. RUOF: Thank you. She since
24 has obtained a trailer that is parked in front

1 of the home, as well as two commercial
2 vehicles, which are branded and considered
3 equipment per the IRS accounting terms,
4 especially if she's writing any part of these
5 vehicles off on her business taxes. This
6 equipment violates Section 705, Prohibited
7 Uses, of the Orange Township Zoning Code,
8 Section d, No trailer of any type, boats, no
9 motor homes or equipment of any type should be
10 parked in front of the front building line on
11 any parcel within this district for more than
12 24 hours in a 10-day period. So if she is
13 writing off any part of those vehicles, they
14 are considered per Law equipment.

15 These trucks are commercially
16 owned, and with their signage provide mobile
17 billboards as advertising the business.
18 They're hardly used. I could show you video.
19 It didn't download, hardly ever moved, never.
20 Even during the busy season, they are
21 primarily in the same exact spots.

22 There is also only one adult
23 living in the home, so there's no one else who
24 drives these vehicles but employees, and that,

1 again, is very rare.

2 We have not reported this issue to
3 the Township Zoning Staff prior to now because
4 we wanted to be good neighbors. And when we
5 addressed the issue with Richard Parish, the
6 other homeowner, a few years ago when our
7 visibility was blocked because of the truck
8 you guys saw, he immediately moved the
9 vehicles out of our site view.

10 After she moved the trucks to
11 their current location, they did not move for
12 many months. The truck closest to Africa Road
13 has a ladder on top of it and constantly
14 blocks visibility for any vehicle that exits
15 our driveway. Our oldest son, Grant, recently
16 turned 16 and is now driving. So my husband
17 asked her nicely to move the trucks away from
18 the road a few feet so Grant could see
19 oncoming traffic. She has plenty of room in
20 that long driveway to park the vehicles closer
21 to the home, but she refuses, because why
22 would she give up advertising space for her
23 company. And she also stated during that
24 conversation that she wouldn't move them

1 because we weren't good neighbors because we
2 wouldn't give her an easement to cross our
3 yard, even though she hadn't even gone to the
4 County for it.

5 With the lack of visibility caused
6 by the placement of the trucks, one or more
7 cars traveling from the intersection, some in
8 excess of the 45 mile an hour speed limit, can
9 hide behind her commercial truck. This is
10 frightening situation for my husband and I,
11 for our son, for our friends and family who
12 visit our home. It's only a matter of time
13 before an accident occurs.

14 My mother lives nearby and visits
15 often. She is the one who filed the
16 complaint, not me, so it wasn't out of
17 anything. I wasn't the one who did it. She
18 shares our concerns about the lack of
19 visibility and potential risk of our teenage
20 son. She's had a couple of close calls when
21 exiting our driveway. She wrote a letter to
22 Township Zoning Staff asking them for relief
23 from the situation. But it is unfortunate
24 that there is no text within the Code that

1 prevents a vehicle from blocking visibility to
2 traffic.

3 Staff did verify the vehicles were
4 not moving as required in the Code. Since the
5 Township sent Notice to the violation, the
6 applicant has swapped one vehicle for another
7 placement, clearly meeting the letter of Law,
8 but not the intent of the Law. There is no
9 followup by the Township admittedly. And
10 since she swapped the vehicle -- and since she
11 swapped the vehicles, they have not moved,
12 which has been for over a month.

13 Her unwillingness to vacate the
14 area that blocks visibility and intention to
15 stay just within the letter of Law is evidence
16 that she has no regard for public safety,
17 whether it is leaving our drive -- for those
18 leaving our driveway, those driving on Africa
19 Road that may broadside a vehicle they cannot
20 see entering the road.

21 And her operating a business out
22 of her home without a Conditional Use for as
23 long as she had, and using her business
24 vehicles in retaliation proves she's not a

1 good neighbor or a considerate business owner.
2 If this application is approved, she isn't
3 going to suddenly change, things are only
4 going to get worse, especially now that we
5 have spoken out.

6 Outside of our personal issues
7 with this matter, I'd like to refer back to
8 this time last year when Stellar Construction
9 made a zoning request to turn a lot, the
10 corner of Africa and Worthington Roads just
11 south of our home, from Farm Residential to
12 Commercial. Many of our neighbors, as well as
13 the surrounding residents, fought against
14 this, and the Trustees turned this down
15 stating that having any commercial on this
16 side of Orange Township is not part of the
17 community plan. Allowing this Conditional Use
18 application to proceed and for her to continue
19 to run her business out of this Farm
20 Residential property also goes against what
21 the Trustees voted that evening, as it would
22 be allowing commercial use outside of the
23 community plan.

24 I'd also like to note that a

1 condition of allowing Stellar Construction to
2 go through to present their plans to the
3 Trustees for the Zoning Commission was no
4 equipment or branded vehicle were to be
5 visible from the road. And here we are in a
6 Farm Residential area with a property being
7 used outside the Orange Township Zoning Code
8 for as long as it has, and there are two
9 branded vehicles sitting in front of the home
10 as billboards, as close to the road as
11 possible. And honestly, it's an eyesore. We
12 don't want commercial in our Farm Residential
13 area, whether it's zoned Commercial or
14 Conditional Use, that isn't the place for it.

15 We have allowed this situation to
16 go on longer than we should in fear of
17 retaliation. And honestly, our safety, the
18 safety of our friends and family, and
19 preserving our neighborhood is more important.
20 Please deny this application, protect our
21 safety, allow our neighborhood to be preserved
22 as Farm Residential as its intentional Use.
23 Thank you.

24 CHAIRMAN TREFZ: Thank you.

1 MS. KIESER: That's a lot. That's
2 a very emotional response when I'm a single
3 mom running a business and this is my
4 livelihood that we're talking about. This
5 year I had a water backup in my home and I had
6 to move out in February, and I didn't come
7 back until May or June. I had to stay in an
8 Airbnb. I was nine months pregnant. I was in
9 and out of the hospital, and hence why my
10 business hasn't been doing as well this year
11 and things haven't been moving around as much
12 in prior years. It doesn't mean that they're
13 not moving around because they are, but
14 roofing seasons do have a slow season, which
15 we are approaching.

16 I'm not doing anything to bother
17 anybody. I'm not doing anything to retaliate.
18 I did bring up that when I had asked them a
19 favor, they told me no. And you know, they
20 had asked me a favor about my hill. They
21 asked the neighbor a favor about their hill.
22 We do things and we pay money because we're
23 nice people. But this has gone too far in the
24 six years of, like, I don't like that, move

1 that. You need to move this, I don't like it.
2 And it's not just me. It's the corner. It's
3 the daycare that was behind our house. It's
4 the PTO at the school. She has a history of
5 anytime she doesn't like something, she gets
6 very involved. She recently disbanded the PTO
7 at our elementary.

8 MR. GRIGGS: Yeah, just talk about
9 your application.

10 MR. MCCOY: Keep this relevant to
11 your application.

12 MS. KIESER: I also have photos.
13 This is, like, this is getting to be crazy
14 because my house is well kept. And for the
15 last six years, I have looked at their
16 trailers and their trash on the side of their
17 house for six years. So, if I could show you
18 pictures.

19 MR. GRIGGS: No, again, please.
20 It's irrelevant.

21 MS. KIESER: It's irrelevant?

22 MR. GRIGGS: It is.

23 MR. MCCOY: Please keep this
24 relative to your application.

1 MR. GRIGGS: Yep.

2 MS. KIESER: Okay. Okay. That's
3 it. I mean, all I have to say is I'm not
4 lying about anything.

5 MR. MCCOY: Is that permanent
6 lettering on your trucks? Like, did you have
7 somebody put those on, so it's not stick-ons
8 or anything like that?

9 MS. KIESER: Yes. It's stick-on
10 vinyl, like.

11 MR. MCCOY: But it's not something
12 you take off and put back on?

13 MS. NEFF: It's not a magnet?

14 MS. KIESER: No, it's not a
15 magnet.

16 MR. MCCOY: Okay.

17 MS. KIESER: No. And I'm not
18 using it as a billboard. I position the
19 trucks the way that they are for the exact
20 reason that I said. I don't have a reason to
21 lie about anything. I position the trucks
22 because it actually makes my driveway flow the
23 best that it can flow, you know.

24 I'm not trying to be mad or upset

1 about anything, because all these theories of
2 why I'm doing this or why I'm doing that has
3 literally nothing to do with the neighbors at
4 all. It's how the driveway flows the best is
5 why I'm doing it. I'm not doing anything to
6 be vindictive. I made a point when I was
7 approached that when I asked you a favor, you
8 told me no. So, in other words, just saying,
9 quit asking me to move stuff around in my
10 driveway. Like enough, enough with that. I
11 did call the police.

12 I did have to call Delaware
13 County, and just to have it documented,
14 because at this point I feel like I'm being
15 harassed. And they said very clearly that if
16 they don't like it, then they should move. If
17 they don't like something about their
18 neighbors, they should not be there.

19 MR. GRIGGS: Right. Again, let's
20 keep it to what you're requesting to the
21 Board, not a personal dispute with the
22 neighbor.

23 MS. KIESER: Yeah. I mean, I
24 don't have an outside office. I'm not going

1 to buy or purchase one anytime in the near
2 future, there's no reason to. I still
3 breastfeed. I have a seven-month-old at home.
4 I'm able to work downstairs, walk upstairs,
5 feed my baby, give her back to the nanny, go
6 back downstairs, do the work that I need to
7 do. I drop my son off at school in the
8 morning. I come back and pick him up. I'm
9 just trying to live life and run a business,
10 and I'm not trying to upset or kill anybody,
11 which --

12 MR. PAX: Understood.

13 CHAIRMAN TREFZ: Thank you.

14 MS. NEFF: Yeah, so we need to
15 hear the rest of public comment, and then
16 you'll have a chance to speak, if you want to.

17 CHAIRMAN TREFZ: Speak again.

18 MR. GRIGGS: Can I ask Eric a
19 question? So if I'm just an Orange Township
20 resident and I work for a roofing company, and
21 my employer allows me to take my truck home,
22 which has lettering and a ladder on it, is
23 that in and of itself a Zoning violation?

24 MR. GAYETSKY: In and of itself,

1 no.

2 MR. GRIGGS: Okay.

3 MR. GAYETSKY: It would not be.

4 CHAIRMAN TREFZ: Sir.

5 MR. RUOF: Hi. My name is Luke
6 Ruof. I also live at 7327 Africa Road. Yes,
7 I have been sworn in.

8 CHAIRMAN TREFZ: Thank you.

9 MR. RUOF: Sorry. I brought some
10 notes here. I'd like to state that I believe
11 that this Conditional Use should be denied.
12 First and foremost, it does not meet the Land
13 Use Plan with the address in question as
14 applied and the surrounding area is entirely
15 Single Family Use. This priority of the
16 Township was reiterated, again, as previously
17 stated, when Stellar Construction was denied
18 their rezoning.

19 To be painted in a light that I
20 was threatening, necessitating a call from the
21 police is a misrepresentation of what actually
22 occurred. I walked next door. She has a Ring
23 camera. If you'd like to see the video, you
24 can ask her. I politely asked for the safety

1 of our son, who got his license the next week,
2 could we please scoot the trucks up? I don't
3 have an answer where they go, how to do it.
4 Could we please move them up? I'm terrified
5 Grant or one of his friends are going to pull
6 out, get blasted, t-boned. Forty-five miles
7 an hour is a slow day on that road. Okay.

8 I sent, sir, a bunch of pictures
9 to you. And it's repeated pictures of those
10 trucks not moving, being the primary object to
11 block my line of sight from my car window at
12 the end of my driveway. And I drive a not
13 lifted truck. All of her trucks are lifted.
14 That's fine. That's great. That's her right
15 my son drives a smaller Jeep Cherokee. His
16 visibility is even worse.

17 MR. GAYETSKY: Not to cut the
18 presenter off. I did only receive two photos,
19 and that was something that I did put on the
20 folder to be shown. I don't believe it was
21 from you, sir, but it might have been from
22 your wife.

23 MR. RUOF: Okay. I'll hand my
24 laptop over here in a minute.

1 MR. GAYETSKY: So if the Board
2 wants to access those photos, I just wanted to
3 let them know that you're welcome to look at
4 those. They're different photos, yeah.

5 MR. RUOF: She refused to -- she
6 said she wasn't going to do it. The threat
7 may have been, if we have to get someone else
8 involved, we will. Okay. That is a
9 reasonable explanation that I can reach out to
10 the Township, right. Or, if somebody is to
11 get hurt, I'm using this as an opportunity to
12 put her, her company and the Township on
13 notice that we have a safety issue, and if
14 somebody gets injured, all parties will be
15 held liable, right. And I don't want to do
16 that. I don't want to make her life
17 difficult. I want her to be successful. I
18 just want my kid to be able to pull out of the
19 driveway safely. That is it.

20 If you decide to grant this, fine.
21 I'm not going to argue it. I don't know if
22 there's an appeal process. I don't really
23 care to appeal it. I just ask that we can see
24 out of our driveway. That's the only thing

1 I've ever asked of anyone that's lived in that
2 residence. Some weeds, there's some weeds in
3 her fence, okay, like simple neighborly
4 things. The only real ask I've ever had is,
5 can we see to get our driveway, please.

6 And it's your right to deny or
7 approve this. Section 2807(a)(2) reads, The
8 proposed use of such a nature and designed to
9 be constructed, operated and maintained in
10 such a manner so as to be harmonious and
11 appropriate the existing intended character of
12 the general vicinity, and that such will not
13 change the essential character of the same
14 area. Those trucks change the character.
15 Case in point, they block my visibility. It
16 changes the aura and the intended purpose of
17 the area.

18 If they're allowed to be parked in
19 the backyard, the previous person who lived
20 with them, the one time I asked him to move
21 the trucks, he put him in the backyard. Did I
22 love that eyesore? No. Did I complain
23 anymore? Also, no. Right. We just want to
24 be safe.

1 The proposed use will not be
2 hazardous or serving to existing or future
3 neighboring uses. Okay. It's creating a
4 hazard. If you approve it, just nix the
5 hazard. Don't let the trucks be parked close
6 to the road. We can't see.

7 The proposed use, will a vehicle
8 approaches the property, which are so designed
9 not to create an interference of traffic.
10 Again, we have people that feel uncomfortable
11 pulling in or out of our driveway because of
12 these trucks.

13 MS. NEFF: Sir, did you say -- and
14 I'm sorry I wasn't able to find it on the
15 drive, but that's probably my issue. Is there
16 a picture anywhere from the end of your
17 driveway, like where you're looking both ways?

18 MR. RUOF: So, I have several
19 pictures on my laptop here from me in my car.

20 MR. GRIFFS: Yeah, I mean, those
21 really don't do us any good because I can't
22 enter your laptop into the record, unless you
23 want to leave it with the Township.

24 MR. RUOF: I emailed them to Eric

1 before this meeting, so they should be in his
2 email. They're from Lukeruof@Hotmail. Please
3 check your junk email box.

4 MR. GAYETSKY: Okay.

5 MR. RUOF: Because they were sent
6 --

7 MR. GRIGGS: The same thing with
8 the video, right.

9 MR. RUOF: Yeah.

10 MR. GRIGGS: I mean, I know you
11 all looked at the video.

12 MR. RUOF: I've got one, two,
13 three, four, five, six pictures.

14 CHAIRMAN TREFZ: Is that your
15 picture?

16 MR. RUOF: Which one is that?

17 MS. KIESER: That's my picture.

18 MR. RUOF: That's her picture.

19 But you can see our mailbox, that's taken from
20 our mailbox, right.

21 MS. NEFF: That's what I wanted to
22 see.

23 MR. RUOF: And we can't see
24 between the light and the tree -- or that

1 power pole and the tree. Okay. Like, look I
2 get maybe in the morning when they're
3 shuffling trucks around because someone is
4 picking them up, great. Okay. I'm not a guy
5 who's completely inflexible, but those trucks
6 do not move.

7 MR. GRIGGS: Can I ask a question
8 based upon that picture?

9 MR. RUOF: Yeah.

10 MR. GRIGGS: So we keep talking
11 about alleviating a visibility issue. Where
12 is that line? I mean, how far up do the
13 trucks need to be parked? I guess that's, you
14 know, we keep saying it, but I'm not hearing
15 anybody say specifically where that line
16 should be in order to address what --

17 MR. RUOF: You know, I'll be
18 1,000% honest. Just as when I approached the
19 first time, I admitted that I did not have a
20 positive solution. I did not say this is a
21 great idea. But I am happy to meet anybody,
22 including herself, at the property that's
23 concerned and say, hey, what do we feel
24 comfortable with? And be like, okay, if you

1 can just make sure that the tallest point of
2 this truck or the taillight of this truck
3 stays here, and like, I'll even pay to have it
4 marked or something, a pin, whatever, that way
5 it's super obvious. Like, we're not trying to
6 be inflexible. We just want to be able to
7 see.

8 MS. NEFF: It feels like half a
9 truck up would solve it to me, but I don't
10 know. I'm not there.

11 MR. GRIGGS: Yeah, and I'm not an
12 engineer and I'm not a visibility expert. I
13 don't know, you know.

14 MR. RUOF: Right. I can tell you
15 that when that truck is not there, I can see
16 cars coming from the light. When that truck
17 is there, I don't always see the car coming
18 from the light. Especially bike night,
19 motorcycles, I cannot see them when that truck
20 is there.

21 MS. NEFF: So it's not both trucks
22 in the way, it's the one truck?

23 MR. RUOF: It's the one truck.
24 The forward truck, the one to left is like

1 half cut off, that blocks nothing. That's
2 totally okay. It's the second truck.

3 MS. NEFF: Okay. That's very
4 helpful. Thank you.

5 MR. RUOF: Yeah.

6 MR. GRIFF: And how long -- and
7 this is just your opinion, but how often is
8 that truck moved, that last truck?

9 MR. RUOF: In the last three
10 months, or since before my son got his license
11 in September, it has been there every single
12 day, except maybe a day or two, every day, and
13 at night. And in the morning when Grant goes
14 to school, it's there. They're not coming at
15 5:00 in the morning and swapping cars out and
16 leaving a smaller vehicle at the garage door,
17 even if people were coming to pick up that
18 truck. Grant leaves for school at 6:30 in the
19 morning and that truck is sitting right there,
20 and it's difficult for him to see to get out.
21 He is terrified when the weather turns. And
22 you know, he's 16.

23 And I understand that that's not
24 her -- that's not hers, that's not her kid. I

1 get that. That's not her problem, if we want
2 to label it something. Except that as a
3 community, someone says my 16-year-old kid is
4 afraid to pull out of his driveway, a simple
5 solution, please move this one vehicle so he
6 can be safe, and the answer is no. And I
7 don't know, I said, you know what, just don't
8 ask any favors from us anymore. Because as my
9 wife previously stated, we've done things for
10 her, which is fine. It's not tit for tat. I
11 don't want that. I'd be happy to do a favor
12 for anybody. Okay.

13 I just want my kid or his friends,
14 or no offense to any grandparents in the room,
15 their grandparents, who are 70-plus-years-old
16 to be able to pull out of my driveway and not
17 get t-boned by a car. Because let's be
18 honest, we live in an affluent neighborhood,
19 there are a lot of sports cars, a lot of
20 Corvettes and where they love to run the
21 gears, that's Africa Road. So 45 miles an
22 hour is a very conservative speed limit right
23 there at the light. That's not what people
24 are typically doing. It's at least 55 to 65

1 through there. And you know, maybe we could
2 use your measuring device again if you wanted
3 to, but typical stopping distance per AI for
4 45 miles an hour is about 100 yards. That's
5 less than 100 yards from where you can see the
6 cutoff at like the power pole to like where
7 our driveway would be.

8 MS. NEFF: Okay.

9 MR. RUOF: You know, I've got a
10 lot of stuff written here, and I've got a lot
11 of evidence. There's, you know, the Section
12 705, Prohibited Uses, those trucks could very
13 easily, should be easily considered commercial
14 equipment. She does not drive them for
15 personal use. They have the lettering of the
16 company on them. She stated they get dropped
17 off by employees and picked up by employees.
18 They are equipment, which is not permitted.
19 It's a prohibited use under Section 705(d), No
20 trailer, boats, motor homes, equipment of any
21 type should be parked in front of the front
22 building line.

23 MS. NEFF: Can I ask you a
24 question?

1 MR. RUOF: Uh-huh.

2 MS. NEFF: If the truck was not in
3 your way, do you have any other issue with her
4 having it sit there?

5 MR. RUOF: Actually, like one of
6 the last things in here, if my statements or
7 evidence have not convinced the Board and they
8 determine that they should grant this
9 Conditional Use, please stipulate as a
10 condition of the approval that no vehicles may
11 block the line of sight for my driveway for
12 safety purposes.

13 MS. NEFF: That's what we need to
14 hear. Thank you.

15 MR. RUOF: Yeah, if that's what it
16 takes. Like, I want you to be successful. I
17 want you to kill it. I do. I don't care. I
18 just want to be able to pull on my driveway,
19 or my kid. I've been driving for 25 years
20 ish, right. He's been driving for a month and
21 a half. It's not the same thing. Her pulling
22 out in her lifted truck backwards, that's
23 fine. She's been driving for 20 years. He's
24 16. His friends are 16, right. It's very

1 different.

2 MR. PAX: I have a question
3 though, too, also based on the Section that
4 you're referencing.

5 MR. GRIGGS: That's why I asked
6 Eric that question.

7 MR. PAX: Has this come up in
8 previous -- any cases at all regarding a truck
9 with signage?

10 MR. GAYETSKY: Not in my time with
11 the Township. Not to say historically that it
12 hasn't been discussed before, but no, none of
13 the last period of time.

14 MR. GRIGGS: No. So, I would
15 think it would -- the interpretation has
16 historically been that that type of vehicle is
17 not a zoning violation. It's not considered
18 quote, unquote, equipment.

19 MS. NEFF: Thank you.

20 CHAIRMAN TREFZ: I was going to
21 say, it doesn't make any difference what the
22 Federal or anybody else says equipment is.
23 It's how it's defined in our Zoning.

24 MR. GRIGGS: Correct. And that's

1 why I asked the question of Eric for your
2 reference earlier that, you know, if I'm just
3 Pete Griggs and live in a typical subdivision
4 and I drive that vehicle as part of my job,
5 I'm allowed to park that in my driveway.

6 CHAIRMAN TREFZ: Yeah.

7 MR. GRIGGS: And that's not
8 considered a zoning violation.

9 MS. NEFF: And that's why we're
10 being so clear, because there are only certain
11 things in our purview to weigh on.

12 MR. RUOF: I completely
13 understand.

14 MS. NEFF: And we need to make
15 sure we stick to them.

16 MR. RUOF: I understand what she
17 would like to do, and the where the Sections
18 of that where it's appropriate. I'm not
19 wholesale against anything, right.

20 And I would disagree to state that
21 someone taking their work car home to park in
22 their residential driveway of 25 miles an hour
23 is the same thing as what we're talking about,
24 because it's not. But that's a risk the

1 Township, the LLC and the individual will have
2 to take that if that's either continuing to
3 happen or continue to be allowed to happen.
4 You know, that's one person's opinion, that
5 that's not equipment. I'm pretty sure there's
6 a lot of lawyers out there would beg to
7 differ. Okay.

8 I don't want to sue anybody. I
9 don't have a lawyer. I've never used a lawyer.
10 I would'nt even know who to call for a lawyer.
11 But if something happens, if someone gets
12 hurt, and everyone's been made aware that
13 there's a safety issue, what else can I do?
14 That's it. That's my only next option, right.
15 So, if that's a threat, so be it.

16 I'm just making everyone aware of
17 my intentions that I only want people to be
18 safe. And it's not just my 16-year-old. I've
19 got a 14-year-old. I've got a 10-year-old.
20 He drives with them. Could you imagine my
21 entire life leaving in one vehicle and get
22 smacked because someone doesn't want to move
23 one truck?

24 MR. PAX: You'd mentioned, or

1 someone mentioned the vehicles being parked in
2 behind the residence at one time?

3 MR. RUOF: Previously, we had seen
4 in the other picture that was Upgraded
5 Roofing. The person that she was living with
6 the time, he ran that company. They ran it
7 together. And he had parked it towards the
8 end. I was like, Richard, I can't see to get
9 out, man, I'm freaking out, you know, could
10 you move it? And he got really shitty. I
11 was, like, would you just come please stand in
12 my driveway and look. He's like, you're
13 right. And next to that red barn is a double
14 gated, like, farm fence, that if you open up
15 both gates, you can back a truck up in there.
16 And did I love looking at a truck in the
17 backyard? No. But as soon as they moved it,
18 did I ever complain that there was a truck in
19 his backyard? Absolutely not.

20 You know, I consider myself like
21 kind of just live and let be, right, as long
22 as you're not causing me problems. Well, that
23 truck is causing me a problem because -- I'm
24 not going to keep saying, I guess. It's a

1 broken record. So, did you get those
2 pictures? Did you find them?

3 MR. GAYETSKY: I did not see an
4 email from you, only from your wife, so you
5 might have to resend that. I checked my spam
6 folder and all the folders I could look around
7 in.

8 MR. RUOF: Okay. Well, I will
9 send them again.

10 MR. GAYETSKY: Sometimes we do
11 have size limit requirements, so you might
12 have to break it up in a couple of emails just
13 to be safe.

14 MR. RUOF: Yep, I'll send it one
15 per, so.

16 MR. GAYETSKY: Thank you.

17 MR. RUOF: Thank you.

18 MS. RUOF: Just real quick.

19 CHAIRMAN TREFZ: No. I want to
20 make sure we've got all the questions.

21 MS. NEFF: And if anyone else
22 wants to speak.

23 CHAIRMAN TREFZ: Right, and
24 someone else might want to speak, so.

1 MR. RUOF: She can come back up
2 once we establish that, though, correct?

3 CHAIRMAN TREFZ: Yeah. Sir.

4 MR. MASON: Good evening. I'm
5 Peter Mason, 7455 Red Maple Place, and I --
6 what was the last question? I raised my hand.

7 CHAIRMAN TREFZ: Have you been
8 sworn in?

9 MR. MASON: Yes, I was sworn in.

10 CHAIRMAN TREFZ: Okay.

11 MR. MASON: I'm from Maple Creek
12 community, which has the concern that was
13 referred to as putting commercial on the
14 corner. So my concern is more the precedent
15 being established here for a commercial change
16 over in the neighborhood. You have dealt with
17 my next door neighbors, who have a barn and
18 have a business, and we know that it's hard
19 for you guys to keep track of -- it's our
20 responsibility as neighbors to keep you
21 informed of that.

22 This putting commercial vehicles
23 with what I would call signage, the size of a
24 billboard, right next to the road is not

1 reflective of a neighborhood, a community. It
2 is distinct from a gentleman who may take
3 their truck home for the evening and go to
4 work the next day to have commercial vehicles
5 parked in front of. And when we turn and we
6 go by every day, we realize the obstruction it
7 brings to the neighbor who wants to come out,
8 but also, we feel that corner. You know, when
9 you live near that corner, it's a corner.

10 And I think the concern about
11 safety, not my -- that's not directly my
12 concern. My concern is the movement towards
13 commercial use of Residential Farm area. So I
14 want to speak for the Maple Creek folks and
15 that concern. Thank you.

16 CHAIRMAN TREFZ: Okay. Thank you.

17 MR. GRIGGS: So I also think it's
18 important for this Board to understand there's
19 a difference between something being quote,
20 unquote, commercial and a home occupation.
21 And you have defined home occupation in your
22 Code, which is different than commercial, and
23 you've listed out the standards and the
24 factor, so you know, what the Trustees

1 considered was a true rezoning of property to
2 commercial.

3 CHAIRMAN TREFZ: Right.

4 MR. GRIGGS: Home occupations are
5 not the same.

6 MS. NEFF: And she's asking for a
7 home occupation.

8 MR. GRIGGS: She's asking for a
9 home occupation. And your job is to review
10 the application to see if it meets the
11 standards that are listed in the Code,
12 correct.

13 MS. NEFF: Thank you for pointing
14 that out.

15 MS. RUOF: This is on that same
16 note.

17 CHAIRMAN TREFZ: Ma'am, wait til
18 you're up here because it is being recorded.

19 MS. RUOF: So, Jennifer Ruof, the
20 neighbor. So it is -- yes, there is a
21 difference in that. And I actually disagree
22 with everything that you've said tonight.

23 MR. GRIGGS: Join the club.

24 MS. RUOF: But there is a

1 difference in that is the commercial -- the
2 commercial -- I don't care if she works from
3 her home. I don't want -- and I'm different
4 from my husband. I don't want to look at the
5 trucks. I get maybe one, but we don't need
6 three. She doesn't have any employees. I
7 want her to kill it. I want her to do great,
8 but I don't want to look at that. It does
9 change what our neighborhood looks like. It
10 does change it. And obviously there are
11 issues where the trucks just keep getting
12 moved. How about we just do no trucks? She
13 can still work from home, but the trucks can
14 go somewhere else. That's literally all that
15 I'm asking for.

16 I don't care if there -- home
17 occupation and then having commercial vehicles
18 are different. Again, I don't care if she
19 works and runs a business out of the home. I
20 do care if those vehicles are there, because
21 they will be in the way, or they do change the
22 way our neighborhood looks. I don't want our
23 neighborhood to look like that. We've had to
24 do it for so long.

1 And again, we've been afraid to
2 say anything for a really long time and now
3 we're not going to anymore. And the fact that
4 there were threats and stuff like that, never
5 upon us, is discouraging, but we need to
6 remember that at the end of the day, it's
7 approved the home occupation, great. We don't
8 need trucks there. She can run her
9 business -- the trucks don't move. She can
10 run her business without those trucks, or they
11 can go somewhere else. So that's the last --

12 CHAIRMAN TREFZ: Thank you.

13 MS. NEFF: Eric, I'm reading
14 through the email that you shared with us.
15 You responded to her email saying the trucks
16 are a separate issue and they could remain
17 there, even if we deny this. So we can't tell
18 her not to park her trucks there.

19 MR. GAYETSKY: Well, yeah,
20 essentially going back to the earlier
21 exchange, if it's a different residence in the
22 Township, or any residence for that matter,
23 and they have a vehicle with a decal on it,
24 that can be used as a personal vehicle. So

1 it's about the definition. So again, the only
2 standard that was applicable and enforceable
3 for the Zoning Department was that seven-day
4 outdoor --

5 MS. NEFF: Okay. I just want
6 to --

7 MR. GAYETSKY: -- inoperable or
8 unused vehicle exceeding period of seven days.

9 MR. GRIGGS: So in other words, if
10 she didn't have her office there, then all
11 those vehicles could be legally parked there
12 under our Zoning Resolution.

13 MS. NEFF: But you said we could
14 put some conditions on it.

15 MR. GRIGGS: She is asking for
16 that home occupation.

17 MS. NEFF: So we can have some
18 conditions.

19 MR. GRIGGS: And we have the
20 ability to look at certain conditions, if we
21 were to approve the application, that we felt
22 was necessary to address the criteria in your
23 Code.

24 MS. NEFF: Okay. I'm sorry I keep

1 asking the question different ways, but I want
2 to make sure I'm understanding.

3 MR. GRIGGS: Yeah.

4 MR. PAX: I think it's relevant
5 because of the whole Statute with the home
6 occupation with business that we limit
7 signage, a very small sign that is permitted
8 on a residence as used, as part of our Code.
9 So, the trucks and the signage that's on the
10 trucks is almost de facto advertising the way
11 that it's sitting there, so that is relevant
12 to me with this. When I didn't see those
13 trucks, then we wouldn't know you even had a
14 roofing business going out of your house, then
15 it's -- that's not an issue at that point.
16 And that's usually the cases that we're seeing
17 when we have these where it's very discrete
18 signage and very discrete use of the residence
19 in that regard, so that's in my mind where it
20 does become relevant.

21 But I think where -- what I'm --
22 with testimony from the residents and the
23 neighbors, it's mainly that the truck that
24 happens to be closest to the roadway that is

1 causing a lot of consternation. So, I guess
2 the issue is what we can do and whether we
3 have any ability to limit or restrict that.
4 That's the reason why I was asking about
5 parking in rear or parking on the side of that
6 detached garage.

7 MS. KIESER: Can I speak on that?

8 MR. PAX: Yes, you -- I just
9 wanted to --

10 MS. NEFF: Let's see if there's
11 anyone else in the audience who needs to speak
12 first, because have we exhausted everyone?

13 MR. PAX: Well, is anyone else
14 here?

15 MS. NEFF: Was there anyone else
16 who's going to speak on this issue?

17 CHAIRMAN TREFZ: Okay.

18 MR. GAYETSKY: And so, just to put
19 it on the record that there were nine various
20 email comments that we had received, the
21 Zoning Department received and passed those
22 along to you, two of which included the
23 photos, as presented on the screens.

24 MS. NEFF: But not different

1 people, just the emails.

2 MR. GAYETSKY: I believe that was
3 about six or seven different people.

4 MS. NEFF: Okay.

5 MR. GAYETSKY: That's what you
6 have in front of you and that I printed out.

7 MS. NEFF: Okay. Thank you.

8 MS. KIESER: Okay. Several
9 points; one, when you had the picture pulled
10 up of their visibility, what's considered
11 visibility? How far does someone have to be
12 able to see down the road? Because I could
13 see all the way to the next neighbor's
14 driveway. It's not like it gets to my
15 driveway and it's an abrupt brick wall and
16 they can't see past my driveway anymore.
17 It's -- they're talking about up over a hill
18 into a traffic light to which they were able
19 to see before and they can't see.

20 The other thing is parking my
21 truck in, you know, where he thinks it's just
22 easy to pull up on through my yard, through my
23 grass, tear up my whole backyard. You know, I
24 have a barn door that it's just a little latch

1 and it swings open and you could potentially
2 put something back there, like my ex did;
3 however, it's just on the grass. I have a
4 son, who is autistic, who likes to stick his
5 arm up at the tailpipe. That's why we
6 couldn't leave it back there the last time
7 Richard put it back there. My son's also,
8 like I said, very autistic and very obsessed
9 with vehicles, and he's seven now. And they
10 know themselves that one time he eloped and
11 got out and was in their vehicle in their
12 front yard. It was the one time it scared me
13 to death. Okay. I don't need any more
14 reasons for my son to want to get out and get
15 inside of a vehicle, especially if there's one
16 parked in my backyard. I have a dog back
17 there, so we're just going to open the gate --
18 I'm supposed to expect people who show up to
19 make sure my kid doesn't get out, make sure my
20 dog doesn't get out. You know what I mean?
21 Like, that's asking me a lot.

22 And, the point of this whole thing
23 has nothing to do with it's commercial and
24 they don't like it. It has everything to do

1 with they are highly emotional because their
2 son got a license. Now, for example, if I'm
3 on campus and I go to pull out onto Fourth
4 Street, what's there? They got those cars
5 parked in the middle now. They're not even on
6 the sides anymore. They're in the middle
7 because they have the bike path in between, so
8 you can't see. There's not visibility, and
9 you have to inch out, inch out, inch out to
10 look to be able to go. And the point of that
11 is, yes, you have a 16-year-old son. Yes, I
12 understand that you're concerned, but if
13 you're concerned, then take your son into
14 situations like that, teach him better.
15 Because the second he pulls out of our
16 driveway, he's going to run into the same
17 problem somewhere else. There's always low
18 visibility, especially in the city, and for that
19 example, just like that, like campus, you know
20 what I mean.

21 MS. NEFF: Can I ask you a
22 question?

23 MS. KIESER: Yeah.

24 MS. NEFF: Could you move your

1 truck -- those two trucks on the right 10 feet
2 forward?

3 MS. KIESER: Ten feet forward?

4 No. Because, like I said, then it would --
5 the space that the person would park their car
6 at is gone. The space that the landscaping
7 guy that goes in between is gone. It's just
8 gone.

9 MS. NEFF: How far forward could
10 you move them?

11 MS. KIESER: I moved the one
12 that's closest to the driveway as close to the
13 one that's in front of it so that they're like
14 inches apart now, instead of like a couple
15 feet apart, just to squish it in a little bit
16 more.

17 MR. MCCOY: But what we measured
18 before is about 100-foot driveway.

19 MS. KIESER: Right.

20 MR. MCCOY: Those trucks are no
21 longer than 30 feet a piece.

22 MS. KIESER: Right.

23 MR. MCCOY: They're actually
24 probably closer to 25 feet a piece, so I'm

1 adding on 5 feet in case there's a ladder
2 sticking off the top of it. Two trucks that's
3 60 feet. You have 100 feet. You have 40 feet
4 to work with. I think in order to have a
5 conditional -- I understand what you're trying
6 to do there, I think in order for me,
7 personally, to say that this is a Conditional
8 Use and I would approve it, is there would be
9 a condition that you are, I don't know,
10 probably 25 to 30 feet from the road edge.
11 And you couldn't park any closer than that?

12 MS. KIESER: That wouldn't be
13 possible for then anybody who would come in
14 the driveway.

15 MR. MCCOY: That's not the issue.

16 MS. KIESER: That's limiting my
17 whole entire driveway.

18 MR. MCCOY: That's limiting what
19 you have arranged as being the most convenient
20 way of someone driving a car there to pull in
21 so they can get in the truck and pull right
22 out. There might have to be some maneuvering
23 that goes on when they come to pick up a
24 truck, but I'm not sure that that is the

1 neighbor's problem.

2 MS. KIESER: So no, it's not just
3 so that the person can get in and pull back
4 out. It's the flow. The roofing trucks are
5 on the right side, my personal truck is in the
6 middle because I go out --

7 MR. MCCOY: Okay. I'm just
8 saying, if I was going to vote to approve
9 this, there would be conditions that would
10 mess around with your flow.

11 MS. NEFF: Same. I mean, I don't
12 want to say you can't have a Conditional Use
13 and can't have a business there, because I
14 think that's silly, but I also think asking
15 for three trucks in the driveway is a lot.
16 So, where can we meet in the middle?

17 So, I guess what I was trying to
18 get at is help us understand what concessions
19 you are willing to make so hopefully we can
20 make something that works that you've already
21 thought through, rather than mandating
22 something that's not going to work. And I
23 don't -- that's two of us.

24 CHAIRMAN TREFZ: I'm not even sure

1 we can mandate what we just said.

2 MS. NEFF: He said we could.

3 MR. GRIGGS: So, you know, we do
4 have the ability to recess.

5 MS. NEFF: And discuss.

6 MR. GRIGGS: And discuss the
7 merits of the application in private.

8 MS. NEFF: Okay.

9 MR. GRIGGS: With me, if this
10 Board is so inclined to do so. So we would
11 need a Motion to recess the case in order to
12 discuss the merits of the application in
13 private.

14 MR. MCCOY: I move to send us into
15 private deliberation.

16 MR. GRIGGS: Perfect.

17 MR. PAX: Second.

18 CHAIRMAN TREFZ: All in favor?

19 MS. KIESER: Can I make one -- or
20 no, should I not say anything? I just wanted
21 to make one more point of the points that I
22 was trying to make when I came up here.

23 CHAIRMAN TREFZ: Okay.

24 MS. KIESER: That that's very rude

1 and wrong and inaccurate to say she doesn't
2 need this many trucks to do this, that they
3 never move, that she doesn't need -- she has
4 no idea how my business runs, what the plans
5 are, et cetera. So, I'm just trying to,
6 again, just run my business. And for someone
7 to say they don't need to be there because
8 they don't like them is not --

9 CHAIRMAN TREFZ: We hear both
10 sides.

11 MS. NEFF: Yeah.

12 CHAIRMAN TREFZ: So thank you for
13 reiterating that.

14 MS. KIESER: Okay.

15 MR. GAYETSKY: So I've got a
16 Motion from Mr. McCoy and a second from Ms.
17 Ross.

18 MS. NEFF: That was not Ms. Ross.

19 MR. PAX: From me.

20 MR. GAYETSKY: I'm sorry. So I'll
21 do it again. Motion made by Mr. McCoy,
22 seconded by Ms. Neff.

23 MR. PAX: I seconded it.

24 MR. GAYETSKY: Oh, you did.

1 MR. PAX: Mr. Pax.

2 MS. NEFF: Sorry, not me.

3 MR. GAYETSKY: Third time is the
4 charm. Motion made by Mr. McCoy, seconded by
5 Mr. Pax. Those voting:

6 Mr. Trefz.

7 CHAIRMAN TREFZ: Yes.

8 MR. GAYETSKY: Mr. Pax.

9 MR. PAX: Yes.

10 MR. GAYETSKY: Ms. Neff.

11 MS. NEFF: Yes.

12 MR. GAYETSKY: And Mr. McCoy.

13 MR. MCCOY: Yes.

14 CHAIRMAN TREFZ: We will try to
15 make this brief.

16 (Board enters Private
17 Deliberation.)

18 CHAIRMAN TREFZ: I make a Motion to
19 come back to regular session.

20 MR. PAX: Second.

21 MR. GAYETSKY: Mr. Trefz.

22 CHAIRMAN TREFZ: Aye, or yes.

23 MR. GAYETSKY: Okay. Ms. Neff.

24 MS. NEFF: Aye.

1 MR. GAYETSKY: Mr. Pax.

2 MR. PAX: Yes.

3 MR. GAYETSKY: And Mr. McCoy.

4 MR. MCCOY: Yes.

5 MR. GAYETSKY: Alright, returned
6 back to regular session.

7 MS. NEFF: Do you want me to make
8 a Motion?

9 CHAIRMAN TREFZ: No. We have to
10 close public comment.

11 MR. GRIGGS: You can close public
12 comment now, if it's the will of the Board.

13 MR. RUOF: Here are the pictures.
14 I just wanted them to be identified.

15 CHAIRMAN TREFZ: Okay. Thank you.
16 Go for it.

17 MS. NEFF: I would like to make a
18 Motion to move all letters, emails, photos,
19 the application and the Staff Report that has
20 been received as of the time I'm making the
21 Motion, which is 7:53 p.m., into the record as
22 Exhibits.

23 MR. GRIGGS: Correct.

24 CHAIRMAN TREFZ: I move that we

1 close public comment for this --

2 MR. GRIGGS: No. Vote on the
3 Motion that's --

4 MR. PAX: I'll second that Motion.

5 MR. GAYETSKY: Motion made by Ms.
6 Neff, seconded by Mr. Pax. Those voting:

7 Mr. Trefz.

8 CHAIRMAN TREFZ: Yes.

9 MR. GAYETSKY: Mr. Pax.

10 MR. PAX: Yes.

11 MR. GAYETSKY: Ms. Neff.

12 MS. NEFF: Yes.

13 MR. GAYETSKY: And Mr. McCoy.

14 MR. MCCOY: Yes.

15 CHAIRMAN TREFZ: Now I'll close
16 public comment for this application.

17 MR. GRIGGS: Correct.

18 MR. MCCOY: I second.

19 CHAIRMAN TREFZ: Is that a vote?

20 MR. GRIGGS: Go ahead and take a
21 vote.

22 MR. GAYETSKY: Mr. Trefz.

23 CHAIRMAN TREFZ: Yes.

24 MR. GAYETSKY: Mr. Pax.

1 MR. PAX: Yes.

2 MR. GAYETSKY: Ms. Neff.

3 MS. NEFF: Yes.

4 MR. GAYETSKY: And Mr. McCoy.

5 MR. MCCOY: Yes.

6 CHAIRMAN TREFZ: Okay. I make a
7 Motion --

8 MR. MCCOY: I'm going to have some
9 discussion on the application. My feelings on
10 the application is I am in favor of a
11 Conditional Use with a condition. I think
12 tonight's presentation has exhibited, given
13 the topography of the real estate there, the
14 neighbors' real estate, the roadway, the
15 changes to the road, what you've got going on
16 at your house, the applicant's house with the
17 parking, I think that a safety issue exists
18 based on the testimony that we've received,
19 the documents we've seen, the pictures that
20 were shown.

21 And so, I would put forward a
22 Motion to approve the Conditional Use of your
23 home-based business, but with the condition
24 that any vehicle parked at your home be 30

1 feet from the edge line of Africa Road. So
2 you would take the far outside line, the
3 yellow line, white line, whatever it is on the
4 outside of the road, and come back 30 feet
5 towards your house and you would have no
6 vehicles parked in that area.

7 CHAIRMAN TREFZ: I'll second the
8 Motion.

9 MS. NEFF: Well, was that an
10 official Motion?

11 MR. MCCOY: That's my discussion.

12 MS. NEFF: I think it's a
13 discussion.

14 CHAIRMAN TREFZ: Oh, that's your
15 discussion. I thought you were --

16 MR. MCCOY: If you like me to put
17 that -- if anybody else wants to discuss.

18 MR. RUOF: This might be out of
19 turn, but there's no way for her or I to know
20 whether that's reasonable. Like, 30 feet is
21 not that far.

22 MR. GAYETSKY: Public comment is
23 closed.

24 MS. NEFF: Public comment is

1 closed.

2 MR. RUOF: I understand that, but
3 I'm just telling you. It doesn't fix the --

4 MR. GAYETSKY: Public comment is
5 closed.

6 MR. GRIGGS: Public comment is
7 closed.

8 MR. RUOF: Thank you, sir.

9 CHAIRMAN TREFZ: Okay.

10 MS. NEFF: Well, we can still
11 discuss, right. You suggested that 30 feet
12 would be measured from where?

13 MR. MCCOY: From the edge of the
14 road -- typically, you would have a
15 right-of-way of this situation, and I don't
16 know what the right-of-way dimension is. So
17 right-of-ways are measured from the center line
18 of roads typically back towards the property and
19 away from that center line to the property across
20 the street. If you had a 50-foot right-of-way
21 from a center line of a road, you'd have 25 feet
22 from that center line back towards your property.
23 You'd have 25 feet to the property across the
24 street.

1 MS. KIESER: So you're saying 30
2 feet from that yellow line?

3 MR. MCCOY: No, no, no. I'm
4 saying that we're going likely a little
5 further than that to add some safety factors
6 to that because that -- I'm talking about 30
7 feet from the edge of the roadway, not the
8 center line of the roadway, the white line.

9 CHAIRMAN TREFZ: Well, there
10 should be a white line right there.

11 MR. PAX: There is a white line.

12 CHAIRMAN TREFZ: It looks like a
13 --

14 MS. NEFF: There was a white line
15 in the picture.

16 CHAIRMAN TREFZ: -- a gutter.

17 MR. MCCOY: When it was measured
18 before that was approximately 100 feet.
19 Actually, it was 101 something, 101 foot
20 driveway, I think, rounded. Prior to the
21 construction, it measured out to be
22 approximately 112 feet. And these are digital
23 measurements on an overview.

24 MR. GAYETSKY: That's a good

1 point. One clarification. Are you talking
2 about the edge of the pavement area, which
3 would be the curb and gutter?

4 MS. NEFF: The white line.

5 MR. MCCOY: Yes. Yes, 30 feet
6 from the curb.

7 MR. GAYETSKY: I wanted to make
8 that distinction because that is something
9 that does need to be explained.

10 MS. NEFF: In the Motion.

11 MR. PAX: Yes.

12 MR. GRIGGS: Correct.

13 MS. KIESER: I have a question.

14 MR. GRIGGS: No questions.

15 There's no public comment right now.

16 MR. PAX: So again, at least in
17 our understanding in deliberation, there is a
18 white line, the edge line there on the right
19 side of that roadway. And the concrete apron
20 is -- we're construing that part of the
21 driveway. That is not -- we're talking from
22 the white line, edge of asphalt of the roadway
23 30 foot center line.

24 MR. GAYETSKY: The right-of-way

1 does extend farther, typically.

2 MR. PAX: Yes.

3 MR. GAYETSKY: With this road
4 being widened, I wouldn't imagine it's a great
5 distance now, but I just wanted the Board to
6 be aware that there is going to be a little
7 bit more right-of-way than where you see from
8 the curb itself.

9 MR. GRIGGS: Right. That's why
10 there -- I think --

11 MR. MCCOY: I'm extending it past
12 that because I think you could legitimately
13 state that, well, you can't park any vehicle
14 in the right-of-way. You have the use of your
15 driveway to cross the right-of-way to get to
16 where you're parking. I want -- they've
17 measured digitally, and it's not a fixed,
18 concrete measurement without actually going to
19 the house to take a look. But it is a fairly
20 sophisticated system that they're using and
21 it's a pretty good guesstimate of what's going
22 on there. So I'm saying -- I'm proposing that
23 you be no closer parking any vehicle in your
24 driveway than 30 feet to what can be

1 delineated as the curb.

2 MR. GAYETSKY: Okay.

3 MR. MCCOY: So where the curb
4 meets the edge of the grass. Everybody
5 understands that, correct?

6 MS. KIESER: Yeah. But you're
7 talking probably to where the transition is, I
8 would imagine. Thirty feet in would be --

9 MR. RUOF: I'm not certain that
10 that is that far. That's probably 50 feet.

11 MR. KIESER: So the edge of the
12 drive or somewhere past the apron, and that
13 was 20 feet.

14 MR. MCCOY: And Ma'am, and I
15 understand you're -- you know, we're not
16 allowing any more comments, but I understand
17 what you're trying to state there.

18 MS. NEFF: It's right there. It's
19 halfway.

20 CHAIRMAN TREFZ: Right there,
21 right?

22 MR. AMBLER: That's 29.8 feet.

23 MR. PAX: That is behind that flat
24 -- that poling question. Okay. So we see

1 that.

2 CHAIRMAN TREFZ: Yeah.

3 MR. PAX: That to me is a very
4 significant marker. At least when we're
5 looking at sight lines from the photos we were
6 reviewing, that was, to that intersection that
7 was, you know, that's 30 feet back from that
8 edge of the roadway that we're talking about.
9 So --

10 MS. NEFF: It's basically --

11 MR. PAX: -- that reasonable from
12 a safety standpoint from the site line.

13 MR. KIESER: Does that apply to
14 their driveway, considering they park at the end
15 of the driveway?

16 MR. GRIGGS: No. Sorry.

17 MS. NEFF: No.

18 MR. MCCOY: This is a condition
19 attached to your Conditional Use of having a
20 home-based business.

21 MR. PAX: And then the number of
22 trucks that you may be parking there on that
23 driveway also, so.

24 CHAIRMAN TREFZ: Right.

1 MR. GRIGGS: Motion.

2 CHAIRMAN TREFZ: Okay.

3 MR. MCCOY: I will go forward,
4 that a Motion to approve based on these
5 factors, and with the additional condition of
6 not being able to park any vehicles within 30
7 feet of where the curb meets the grass back
8 towards your house, 30-foot distance.

9 MR. GRIGGS: That's good.

10 MS. KIESER: Is there set of
11 actual Law because I thought that there wasn't
12 one that there's --

13 MR. GRIGGS: We have the Motion
14 now.

15 CHAIRMAN TREFZ: We have a Motion.

16 MR. GRIGGS: I'd be more than
17 happy to talk to you afterwards, but they're
18 making a Motion right now. Okay.

19 MS. KIESER: Sure. But they're
20 just making stuff up, right.

21 MR. GRIGGS: No, no. So, we're
22 not going -- we're not entertaining your
23 testimony right now. The Board is considering
24 a Motion. I'm happy to talk to anybody after

1 the meeting.

2 MR. MCCOY: I'll start back over.
3 I move to approve based on these factors and
4 the additional condition that no parking of
5 any vehicles, cars, trucks, motorcycles or
6 otherwise, as a condition of your Conditional
7 Use for a home-based business be parked within
8 30 feet from the edge of the roadway, defined
9 by where the curb meets the grass directed
10 towards your home; and therefore, with that
11 condition, I move to approve Case No. CU-25-24
12 for the property located at 7343 Africa Road,
13 Galena, Ohio, 43021, seeking a Conditional Use
14 from Section 7.04(a) of the Orange Township
15 Zoning Resolution to allow for the operation
16 of a home occupation, home-based business for
17 office and interior storage of supplies, as
18 well as parking of company vehicles with the
19 aforementioned condition, as outlined in the
20 request above, in an area zoned Farm
21 Residential District (FR-1).

22 MS. NEFF: I'll second --

23 CHAIRMAN TREFZ: Go for it.

24 MS. NEFF: I'll second it.

1 MR. GAYETSKY: Motion to approve,
2 subject to the condition described, made by
3 Mr. McCoy, seconded by Ms. Neff. Those
4 voting:

5 Mr. Trefz.

6 CHAIRMAN TREFZ: Yes.

7 MR. GAYETSKY: Mr. Pax.

8 MR. PAX: Yes.

9 MR. GAYETSKY: Ms. Neff.

10 MS. NEFF: Yes.

11 MR. GAYETSKY: And Mr. McCoy.

12 MR. MCCOY: Yes.

13 CHAIRMAN TREFZ: Thank you.

14 MR. GRIGGS: Next application.

15 - - -

16 (Ms. Ross re-enters meeting room.)

17 MR. GAYETSKY: Alright. Well,
18 we're on our third item of New Business this
19 evening. And that would be under Variance and
20 Conditional Use Case No. VA-CU-25-25. This is
21 for the property at 8090 West Orange Avenue.
22 This is a 1.5-acre Farm Residential District
23 zoned parcel. The owner is Anthony Petitti.
24 The company representing the applicant, or as

1 the applicant representative is The Cleary
2 Company, the custody of John Hamlett. This
3 property, as far as the description of the
4 request, is seeking a Conditional Use for the
5 enlargement of a non-conforming structure, as
6 per Orange Township Zoning Resolution Section
7 24. Also seeking an Area Variance from Orange
8 Township Zoning Resolution Section 24.03(e)
9 for an enlargement of a non-conforming use,
10 exceeding 50% of the existing non-conformity
11 in a Farm Residential District.

12 So this is located, as it's a
13 corner lot property, located at 8090 West
14 Orange Avenue, and that's on the north side of
15 West Orange Road and west side of West Orange
16 Avenue. So the existing home was constructed in
17 1980 and it's a 2,328 square foot overall size
18 home, according to Delaware County Auditor
19 records. The applicant is seeking the
20 Conditional Use from Section 24 to allow for
21 the enlargement of greater than 50% of a
22 non-conforming use. The applicant also
23 seeking that single Area Variance from
24 24.03(e) for an addition, which will be

1 greater than 50% of the size of the existing
2 non-conforming use.

3 For the surrounding area, this is
4 in all four directions around the parcel Farm
5 Residential District Zoning. The land use to
6 the north is Single Family Residences. The
7 land use to the south is West Orange Road
8 right-of-way and Single Family. The land use
9 to the east is West Orange Avenue
10 right-of-way, and to the west the land use is
11 Single Family as well.

12 Alright. So, this s on the north
13 side of West Orange Road and the west side of
14 Orange Avenue. I'll show you a zoomed-in view
15 showing the home, existing home, which is
16 non-conforming based on its proximity to West
17 Orange Avenue.

18 For the Staff Review portion, this
19 is a Conditional Use from Section 24.0(e). So
20 the conditions -- excuse me, the criteria in
21 relation to enlargement of non-conforming use
22 are listed (a) through (e), for your
23 reference.

24 To explain a little more clearly,

1 the new addition will be 2,457 square feet in
2 size and include -- or will include an
3 attached three-car garage and living space
4 above it with two attached covered porches.
5 As part of the site modifications, the
6 applicant indicated that an existing 14 foot
7 by 20 foot freestanding garage that is set
8 back approximately 5 feet from the West Orange
9 Avenue right-of-way will be demolished.
10 According to the above listed standard, the
11 addition may not exceed 1,164 square feet, or
12 50% of the area of the home; therefore, this
13 proposal exceeds the requirement by 1,293
14 square feet. This represents an approximately
15 111% Variance based on our calculation.

16 And Exhibit 1 contains the Site
17 Plan, so that gives you an idea of how close
18 the existing home is, which is slightly beyond
19 approximately 11 feet closer to the West
20 Orange Avenue right-of-way than the
21 requirement of 60 feet. You see that 60-foot
22 build line there. So the home, the existing
23 home is a non-conforming use. And then the
24 hashed area with the diagonal lines is the

1 proposed addition that was just described.

2 And lastly is the existing freestanding
3 garage, which we do have photos of here in a
4 moment.

5 I wanted to show a different view
6 of the Site Plan, which has an overlay of our
7 measurements using our measuring software. So
8 the existing home is approximately 49 feet and
9 a few inches away from the West Orange Avenue
10 right-of-way. And then the proposed addition,
11 it will be right at 30 feet and 0 inches.

12 For further reference and
13 understanding, we included the Exhibits from
14 the applicants materials. So this shows the
15 floor plan of the first floor. That will
16 include this garage with total of three --
17 space for three cars attached, covered porch
18 on one side and another covered porch on the
19 opposite end. And then there's a connecting
20 area with entryway. And then there is also
21 some living space proposed above it. So the
22 second floor plan is showing that living space
23 for your reference.

24 Alright. And the last Exhibits

1 contain some renderings, so that gives you a
2 clear idea of the finished product, once
3 again, showing those three car space -- three
4 car garage and porches, as well as living
5 space on top of the garage area.

6 So Staff went out on that cold,
7 snowy day. We did so on a Monday as well, if
8 I'm recalling correctly. But hopefully this
9 gives you a good illustration of the existing
10 conditions, with three cones delineating the
11 extents of -- the close cone is the far extent
12 of where the addition would go to. And then
13 you can see, I believe we overlaid a little
14 dotted line for perspective of where the --
15 yeah, so that's a couple photos further.

16 Before I jump there, if you pause
17 right there, I wanted to make mention of that
18 dotted yellow line. That would be the far
19 extent of the new garage, and then obviously
20 that encroaches closer than where the existing
21 garage is now. But by comparison, the
22 existing freestanding garage is only 5 feet
23 setback from the West Orange Avenue
24 right-of-way, and that is slated to be

1 demolished. So I think this photo probably
2 gives the best representation of how things
3 will change. Alright. And that is it for our
4 Staff Review.

5 The rest of the report contains
6 the consideration criteria and some possible
7 Motions for your consideration. So if there
8 are any questions, that's what I'm here for.

9 CHAIRMAN TREFZ: Eric, on the
10 square foot of the addition, is that a total
11 of the first and second level?

12 MR. GAYETSKY: Yeah. That's the
13 -- those are -- I believe the measurements
14 came from the applicant. They can clarify
15 100%, but as I recall, yes, that's the first
16 and second floor. Yeah.

17 CHAIRMAN TREFZ: Okay. Does
18 anybody else have questions for Eric?

19 MR. CLEARY: My name is George
20 Cleary, representing the clients, the Petitti
21 family, and the Cleary Company here. I was
22 sworn in.

23 CHAIRMAN TREFZ: Thank you.

24 MR. CLEARY: I would like to

1 clarify on that square footage. That is the
2 2,457 I think is what was called out in the
3 application, that would be both the first
4 floor garage space and the second floor. The
5 habitable, as currently drawn, I think is
6 around 1,100 square feet of finished space for
7 a family member.

8 CHAIRMAN TREFZ: So you'd have the
9 1,100 above and then 1,100 plus a little bit
10 more below, right?

11 MR. CLEARY: Yes, sir.

12 CHAIRMAN TREFZ: Okay.

13 MR. CLEARY: That will be a
14 garage, unfinished parking area.

15 CHAIRMAN TREFZ: Yeah.

16 MR. CLEARY: So we're actually
17 turning the current garage into a habitable
18 living room space of the current home, so
19 there will -- and demoing that freestanding
20 one car garage, so all old garage spaces will
21 be uninhabitable.

22 CHAIRMAN TREFZ: Other questions?

23 MR. CLEARY: Both the existing
24 garage attachment and the detached garage were

1 already there when the homeowners originally
2 purchased the home, so I'm not sure when those
3 were constructed, but probably 50-plus years
4 ago, the way we see it.

5 MR. MCCOY: I don't have any
6 questions.

7 MS. NEFF: I don't have any
8 questions. Do we want to see if there is any
9 public comment?

10 CHAIRMAN TREFZ: Yeah, I was just
11 thinking I had a question. But public
12 comments for this application? Okay.

13 MR. GAYETSKY: And perhaps you saw
14 in the application there were a couple that
15 were supportive.

16 CHAIRMAN TREFZ: Yeah, I did see
17 that. Sir.

18 MR. PETITTI: I was just going to
19 point that out.

20 CHAIRMAN TREFZ: Oh, okay.

21 MR. PETITTI: I'm the owner.

22 CHAIRMAN TREFZ: Okay.

23 MR. CLEARY: The one is the
24 property directly behind, and then the other

1 in favor is the property across the street,
2 so, hypothetically, the two most impacted by
3 this remodel one straight off the driveway and
4 the one behind.

5 AUDIENCE MEMBER: I'm an old man.
6 This is good to be out for us.

7 CHAIRMAN TREFZ: Okay.

8 MR. PAX: Nothing from the
9 resident that is actually to the, what is that
10 the -- I'm assuming in these views north is
11 up?

12 MR. CLEARY: North would be up.

13 CHAIRMAN TREFZ: Yeah.

14 MR. CLEARY: So if you follow the
15 setback lines down Orange Avenue, that would
16 be north.

17 MR. PAX: Okay. Yeah, I didn't
18 know if -- so the residents that had provided
19 across the street and off to the east,
20 basically, not to the west?

21 MR. CLEARY: So east and north,
22 yeah.

23 MR. PAX: Okay. But the resident
24 to that right there, nothing?

1 MR. CLEARY: To the west, they
2 communicated with the owners when they
3 received their Variance letter.

4 CHAIRMAN TREFZ: Yeah.

5 MR. CLEARY: And they were told it
6 was going to be on the furthest east point and
7 they were like, okay, cool.

8 MR. PAX: Okay.

9 MR. MCCOY: It looks from the
10 drawing that if they're Farm Residential and
11 their easement -- or their setback was 60
12 feet, that they're within 60 feet, too.

13 MR. PAX: It looks that way,
14 doesn't it.

15 MR. MCCOY: I'm usually -- a
16 comment on your application. I'm usually very
17 sensitive to setbacks, side yard setbacks,
18 especially. Many discussions about setbacks
19 and why they keep getting smaller versus
20 trying to keep people not on top of one
21 another. So this actually takes the garage
22 away, the single car garage away, which is in
23 serious violation of the setbacks.

24 CHAIRMAN TREFZ: Yeah.

1 MR. MCCOY: But I also look at
2 this and say 1980. So when did the Code exist
3 versus when the house was built? My house is
4 built in an area that if it was built today,
5 you couldn't build a dog house there, let
6 alone the house, from the setbacks that are in
7 place currently. I have no issue with this.
8 You're keeping a substantial setback of 30
9 feet.

10 The other factor is that you don't
11 have a neighbor. You've got a road right
12 there. You do have the neighbor across the
13 street, and the neighbor across the street has
14 signed an email that was sent in saying that
15 that's okay. And you're really trying to tuck
16 the add-on into the existing, almost the existing
17 footprint of the home versus what you have now
18 with the freestanding garage that's out sort of
19 in the middle of nowhere. So that's my comment
20 on what they're asking.

21 MS. ROSS: I completely agree with
22 you. I think this is a lovely addition as
23 well. Well done.

24 MR. MCCOY: I would just like to

1 move in. (Laughter.)

2 MR. CLEARY: I think they are
3 charging rent.

4 MS. ROSS: I personally appreciate
5 your desire to keep your father, your family
6 member close to you, as I did that for my mom
7 for many years.

8 CHAIRMAN TREFZ: Any other
9 questions or comments?

10 MS. NEFF: No.

11 CHAIRMAN TREFZ: Does someone want
12 to make a Motion?

13 MS. NEFF: I'll make it.

14 CHAIRMAN TREFZ: Go for it.

15 MS. ROSS: Go for it.

16 MS. NEFF: Based on these factors,
17 I move to approve Case No. VA-CU-25-25 for
18 property located at 8090 West Orange Avenue,
19 seeking an Area Variance from Orange --

20 MR. GAYETSKY: Conditional Use.
21 Oh, I'm sorry, I thought you were doing the
22 other order.

23 MS. NEFF: Am I doing the wrong
24 one?

1 MR. GAYETSKY: No, you can go
2 either way, I believe. I'm sorry.

3 MS. NEFF: That's okay. Seeking
4 an Area Variance from Orange Township Zoning
5 Resolution Section 24.03(e) for an enlargement
6 of a non-conforming use exceeding 50% of the
7 existing non-conformity in an area zoned Farm
8 Residential District.

9 MS. ROSS: I'll second.

10 MR. GAYETSKY: Motion made by Ms.
11 Neff, seconded by Ms. Ross. Those voting:

12 Mr. Trefz.

13 CHAIRMAN TREFZ: Yes.

14 MR. GAYETSKY: Ms. Ross.

15 MS. ROSS: Yes.

16 MR. GAYETSKY: Mr. Pax.

17 MR. PAX: Yes.

18 MR. GAYETSKY: Ms. Neff.

19 MS. NEFF: Yes.

20 MR. GAYETSKY: And Mr. McCoy.

21 MR. MCCOY: Yes.

22 MR. GAYETSKY: Motion carries.

23 CHAIRMAN TREFZ: We have one more.

24 MS. NEFF: We have one more.

1 MS. ROSS: That was the
2 Conditional Use, right?

3 CHAIRMAN TREFZ: Yeah.

4 MS. ROSS: Okay.

5 MR. MCCOY: That was the Area
6 Variance.

7 MS. NEFF: That was the Area
8 Variance.

9 MS. ROSS: On to the next. Based
10 on the factors and testimony received, I move
11 to approve Case No. VA-CU-25-25 for the
12 property located at 8090 West Orange Avenue
13 seeking a Conditional Use from Orange Township
14 Zoning Resolution Section 24 to allow for the
15 enlargement of a non-conforming use in an area
16 zoned Farm Residential District (FR-1).

17 MR. PAX: Second.

18 MR. GAYETSKY: Motion made by Ms.
19 Ross, seconded by Mr. Pax. Those voting:

20 Mr. Trefz.

21 CHAIRMAN TREFZ: Yes.

22 MR. GAYETSKY: Ms. Ross.

23 MS. ROSS: Yes.

24 MR. GAYETSKY: Mr. Pax.

1 MR. PAX: Yes.

2 MR. GAYETSKY: Ms. Neff.

3 MS. NEFF: Yes.

4 MR. GAYETSKY: And Mr. McCoy.

5 MR. MCCOY: Yes.

6 MR. GAYETSKY: Motion carries.

7 MR. PAX: Good luck with the

8 project.

9 MS. NEFF: It's beautiful. Good
10 luck.

11 MR. CLEARY: Thank you.

12 MR. PETITTI: Thank you.

13 - - -

14 MR. GAYETSKY: Alright. Well,
15 we're on to the final item, the final New
16 Business item and case for the evening. So,
17 this is a Variance case under VA-25-26. This
18 is for the property at 8337 Green Meadows
19 Drive. That's a 9.7-acre Planned Industrial
20 District zoned parcel. The applicant is Logan
21 Dilts with DaNite Sign Company.

22 This request entails seeking an
23 Area Variance from the Orange Township Zoning
24 Resolution for a wall sign to be above the

1 allowed height of 15 feet, 0 inches in a
2 Planned Industrial District -- in the Planned
3 Industrial District. So the subject parcel is
4 located at 8337 Green Meadows Drive. And like
5 I stated, this is request for exceeding the
6 height for a wall sign.

7 So, surrounding area includes
8 Planned Industrial District to the north, land
9 use there is Green Meadows Industrial Park.
10 To the south, the zoning is Planned
11 Industrial. The land use is also Green
12 Meadows Industrial Park. To the east is Farm
13 Residential District Zoning. The land use is
14 the railroad track corridor. And to the west,
15 zoning is Planned Industrial, with land uses
16 Green Meadows Industrial Park and Green
17 Meadows Drive right-of-way. That is shown
18 here more clearly on the zoomed-out aerial
19 view, a little bit north of East Powell Road
20 and along the railroad corridor. Here's the
21 zoomed-in view for your context. The building
22 still fronts towards Green Meadows, but it is
23 essentially 45 degree angle to the road before
24 it turns.

1 Alright. Onto the Staff Review.
2 This is an Area Variance Request, as I
3 described in the intro. So it's from Section
4 22.03 for Permitted Signs, Commercial
5 Industrial Display Signs: Such signs shall be
6 located on or along a wall of such a building
7 which faces a street, parking lot or service
8 drive and shall be located no more than 15
9 feet above finished grade or the height of the
10 ceiling of the first floor of the building,
11 whichever is less.

12 The applicant is proposing a wall
13 sign with the height of 21 feet, 0 inches
14 from finished grade towards the right side of
15 the west facade. This requires a variance of
16 6 feet and 0 inches, representing a 40%
17 Variance request from the maximum height
18 permitted under Section 22 of the Orange
19 Township Zoning Resolution.

20 And there is your Exhibit No. 1
21 that shows that 21 feet and 0 inch height to
22 the top of the sign, and that's a 6 foot
23 variance. This is a sign of approximately 80
24 feet -- I said 80 feet -- 80 inches tall and

1 260 inches wide, with the logo and text.

2 And that sign is delineated in
3 Exhibit 2, as Sign No. 3, I'll get to in just
4 a second. But Sign No. 2 is an existing
5 display area.

6 So, as promised, Exhibit 2, and
7 that previous plan, how that's labeled, is on
8 the left side of the building. So this is for
9 some reference for the BZA I thought would be
10 helpful. The sign display area on the west
11 facade along the left edge of the building,
12 which is opposite Sign No. 3's proposed
13 location received approval via BZA Case 15263
14 for a wall sign up to 22 feet in height from
15 grade to the top of the sign. So along with
16 Sign No. 3, Sign No. 2 is also proposed to be
17 changed to kind of an updated logo,
18 essentially. And that's proposed at 21 foot 6
19 inches from grade to the top of the sign. And
20 that sign does not require a Variance because
21 it is a face change.

22 So I just wanted the Board to be
23 familiar with the entire facade and the signs
24 there. So that's the extent of our Staff

1 Review.

2 The rest is the Board Analysis and
3 example Motions.

4 MR. MCCOY: Is that sign -- I'm
5 sorry, I have a question for Eric.

6 CHAIRMAN TREFZ: That's alright.

7 MR. MCCOY: Is the approval of
8 this, if it was approved, run with the owner?

9 MR. GAYETSKY: It doesn't have an
10 expiration, if that's the question.

11 MR. MCCOY: If somebody bought the
12 building, they would be grandfathered in, so
13 to speak?

14 MS. NEFF: Grandfathered in.

15 MR. GRIGGS: Yeah, yeah. So if
16 the building was sold, then they would -- they
17 could change the sign out with the new
18 business at that location.

19 MR. MCCOY: Okay.

20 MR. DILTS: Logan Dilts with
21 DaNite Sign. I have been sworn in.

22 CHAIRMAN TREFZ: Thank you.

23 Anything to enlighten us on?

24 MR. DILTS: I will say, it looks

1 like he might have had an older drawing. I
2 know we had gone back and forth. I sent you a
3 different packet. But we're actually asking
4 for a 22-foot Variance, just to make it
5 equivalent to the sign on the corner. That
6 way it gives us a little wiggle room.

7 CHAIRMAN TREFZ: It's not a
8 22-foot Variance. It's a 22-foot height.

9 MS. NEFF: That's what you're
10 saying, though?

11 MR. DILTS: Yes.

12 CHAIRMAN TREFZ: I was going to
13 say, the 22, oh, we've got to talk.

14 MS. NEFF: So that makes the
15 Variance 7 feet, am I doing my math correctly?

16 MR. PAX: Correct.

17 MR. GAYETSKY: Right.

18 MR. DILTS: So, yeah, we just want
19 this new sign to be the same height as the one
20 on the corner so everything matches. That's
21 all we're asking for.

22 CHAIRMAN TREFZ: Yeah. Questions
23 anyone?

24 MS. ROSS: No questions.

1 MS. NEFF: No.

2 CHAIRMAN TREFZ: I'll make a
3 Motion to approve --

4 MS. NEFF: Public comment?

5 MR. PAX: I don't think so.

6 CHAIRMAN TREFZ: I don't think so.

7 MS. NEFF: Well, don't we have to
8 ask?

9 CHAIRMAN TREFZ: Yeah, I should
10 ask.

11 MS. NEFF: Maybe we don't.

12 CHAIRMAN TREFZ: I should ask,
13 you're correct. With no public comment, a
14 vote will proceed.

15 I move to approve based on these
16 factors, Case No. VA-25-26 for the property
17 located 8337 Green Meadows Drive, Lewis
18 Center, Ohio, 43035, seeking one Area Variance
19 from Orange Township Zoning Resolution Section
20 22 to allow for a wall sign identified in this
21 report as Sign 3 to be up to 7 feet above the
22 allowed 15 foot 0 inches in the area zoned
23 Planned Industrial (PI).

24 MS. ROSS: I'll second.

1 MR. GAYETSKY: Motion made by Mr.
2 Trefz, seconded by Ms. Ross. Those voting:

3 Mr. Trefz.

4 CHAIRMAN TREFZ: Yes.

5 MR. GAYETSKY: Ms. Ross.

6 MS. ROSS: Yes.

7 MR. GAYETSKY: Mr. Pax.

8 MR. PAX: Yes.

9 MR. GAYETSKY: Ms. Neff.

10 MS. NEFF: Yes.

11 MR. GAYETSKY: And Mr. McCoy.

12 MR. MCCOY: Yes.

13 MR. GAYETSKY: Motion carries.

14 CHAIRMAN TREFZ: Thank you.

15 MS. ROSS: Thank you.

16 - - -

17 MR. GAYETSKY: Well, I believe the
18 only other item was the minutes that I sent
19 out. And I'm always grateful for any, even if
20 they're minutia, just corrections that you
21 come forward with. So I know I heard from at
22 least one of you. I'm trying to remember if
23 two of you had responded. If anybody feels
24 like there was anything that stood out --

1 MS. NEFF: Did you do the double
2 line for us?

3 MR. GAYETSKY: -- I'm happy to
4 give you more time; otherwise, feel free to
5 make a Motion. And that was for September's
6 minutes, which we did have two that month.

7 CHAIRMAN TREFZ: Yeah.

8 MR. GAYETSKY: So we had -- does
9 it go back to --

10 CHAIRMAN TREFZ: This is the 18th.

11 MS. ROSS: We need to do the
12 August 28th, though.

13 MR. GAYETSKY: It did go back to
14 August 28th for our special meeting, which I
15 sent those out along with it, but I figured
16 that those were fairly cut and dry. So, if
17 anybody feels like we need more time or wants
18 to make a Motion on each.

19 MS. ROSS: As he looks at me. I
20 approve -- I move that we approve the minutes
21 of August 28th, 2025 of BZA, as written.

22 MR. PAX: Second.

23 MR. GAYETSKY: Motion by Ms. Ross,
24 seconded by Mr. Pax. Those voting:

1 Mr. Trefz.

2 CHAIRMAN TREFZ: Yes.

3 MR. GAYETSKY: Ms. Ross.

4 MS. ROSS: Yes.

5 MR. GAYETSKY: Mr. Pax.

6 MR. PAX: Yes.

7 MR. GAYETSKY: Ms. Neff.

8 MS. NEFF: Yes.

9 MR. GAYETSKY: And Mr. McCoy.

10 MR. MCCOY: Yes.

11 MS. ROSS: I move that we approve

12 the minutes of September 18th, 2025, as

13 corrected.

14 CHAIRMAN TREFZ: I'll second.

15 MR. GAYETSKY: Motion made by Ms.

16 Ross, seconded by Mr. Trefz. Those voting:

17 Mr. Trefz.

18 CHAIRMAN TREFZ: Yes.

19 MR. GAYETSKY: Ms. Ross.

20 MS. ROSS: Yes.

21 MR. GAYETSKY: Mr. Pax.

22 MR. PAX: Yes.

23 MR. GAYETSKY: Ms. Neff.

24 MS. NEFF: Yes.

1 MR. GAYETSKY: And Mr. McCoy.

2 MR. MCCOY: Yes.

3 MR. GAYETSKY: Great. Thanks for
4 all your efforts.

5 MS. NEFF: Thank you.

6 CHAIRMAN TREFZ: You make it easy.

7 MR. GAYETSKY: We try right around
8 here.

9 CHAIRMAN TREFZ: Are there any
10 other business from anyone?

11 MS. ROSS: No.

12 CHAIRMAN TREFZ: Okay. Is there a
13 Motion to adjourn?

14 MS. ROSS: I move to adjourn.

15 MR. PAX: I'll second that.

16 MR. GAYETSKY: All in favor say
17 aye.

18 MEMBERS: "Aye."

19 CHAIRMAN TREFZ: We are adjourned.

20 (Thereupon, the proceedings
21 concluded at 8:30 p.m.)

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CERTIFICATE

The undersigned do hereby certify that the foregoing proceedings were digitally recorded, electronically transmitted by Orange Township; and then transcribed via audible playback, and that the foregoing transcript of such proceedings is a full, true and correct transcript of the proceedings as so recorded.

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Sandra D. Kin



Sandra D. Kin,
Registered Professional Reporter,
Certified Digital Reporter and
Certified Digital Transcriber

Notary Public - State of Ohio.
My Commission Expires May 14, 2027.

- - -