

VILLAGE OF MAGNETIC SPRINGS MINUTES OF BOARD OF ZONING APPEALS MEETING JANUARY 20, 2010

Present Members - Jesse Conrad – President
Sally Slone
Paul Thompson

Robert Baugman
Malcom Manville
Jim Cox

Visitors – Melinda Ritchie, Village Fiscal Officer
Mrs. Sylvia Zimmerman
Mrs. Jobe

Dean Bowsher, Sr.
Mayor “Kathy” Cantrell

OPENING: This meeting of the Village of Magnetic Springs Zoning Board was called to order by President Jesse Conrad at 7:00PM at 30 W. Magnetic St., Magnetic Springs, OH 43036.

CONDITIONAL USE PERMIT:

President Jesse Conrad present zoning board members with the conditional use permit application filed by Mrs. Zimmerman January 2, 2010, for conditional use at parcel # 21-0001241, and 21-0001240.000, or 50 Rose Street (Janis Davis’s old house). The existing use and zoning is residential for the property. The conditional use requested is for a small store in the first floor with a separate entrance where food staples—milk, bread, eggs, canned goods, fresh produce, personal hygiene, and pet foods – can be sold. A copy of a sketch has been included with the application as well as a notation that no alcohol, tobacco, or lottery tickets will be sold from the location.

Members questioned Mrs. Zimmerman as to the hours of operation. The response was reasonable hours for village residents. To start the hours of operation will be approximately 9 AM to 6 PM, Monday thru Saturday, but interested in flexibility in fulfilling the needs of village residents. Later may even be able to have delivery for residents that perhaps can’t get out. Acceptable payment methods would include WIC and food stamps.

Members questioned Mrs. Zimmerman concerning signage. Mrs. Zimmerman stated minimal signage will be displayed. A small sign will be placed perhaps directly on the building, but depending on word of mouth for advertisement.

Members questioned Mrs. Zimmerman concerning outside vending. The reply was no outside vending would be offered at this location.

Objections:

Jim Cox stated he has no problem with the conditional use permit as long as all Union County Health Department guidelines are met. He does have questions concerning only on street parking. Conrad announced the sketch included showed 4 possible available street parking spots as well as a parking area on the south side of the house.

Questions arose among several zoning board members concerning gathering of minors, or sit down service. Mrs. Zimmerman stated she is interested in servicing the Magnetic Springs residents with much need staples, from a convenience location for takeout purposes with no sit down opportunity. Mrs. Jobe stated she will post limitation on minor occupants and believes she will be able to maintain peace within the area.

Jesse Conrad questioned about delivery trucks. Their ability to reach the location and such vehicle may be over weight limit. The residential street needs to be kept as clear as possible. Mrs. Zimmerman will schedule the deliveries so as to not have more than one a day. Some deliveries would even be transported by Mrs. Jobe, or Mrs. Zimmerman themselves if necessary to maintain traffic control and less damage to community.

Dean Bowsher mentioned the possibility of kids congregating next to the location and perhaps disturbing the neighbors or destroying others property.

Mrs. Zimmerman is willing to be susceptible to periodic assessment of any situation and make adjustments as necessary to ensure non-conflict with the Village or residents. If a fence is required to be established to prevent these kinds of happening Mrs. Zimmerman is willing to make such adjustments.

It was stated that the conditional use permit would apply only to Mrs. Zimmerman at above stated parcel and address. Any change of ownership will void the conditional use permit for this location.

The above being discussed and zoning board members are satisfactory with response, Sally Slone made a motion to accept the conditional use permit application under the conditions of periodic assessment will be made, no alcohol, tobacco, lottery, or outside vending be allowed, reasonable hours will be kept, no large signage will be constructed and conditional use permit will terminate upon any change of ownership. Robert Baughman seconded the motion. The vote was as follows: Paul Thompson, I, Sally Slone, I, Robert Baughman, I, Jim Cox, I, Malcom Manville, I, Jesse Conrad, I.

ADJOURNMENT:

In agreement that all zoning business had been concluded, Jesse Conrad adjourned the meeting at 7:18 PM.